**SPECIAL WARRANTY DEED**

| AFTER RECORDING RETURN TO: | Prepared by: |
|---|---|
| Jeffrey A. Greene<br>Greene & Greene<br>P.O. Box 198768<br>Nashville, TN 37219 | Greene & Greene (JAG)<br>P.O. Box 198768<br>Nashville, TN 37219 |

| Address of New Owner: | Send Tax Bills To: | Map-Parcel No. |
|---|---|---|
| Cherry Glen Partners, L.P.<br>4121 Hillsboro Road<br>Suite 202<br>Nashville, TN 37215 | Cherry Glen Partners, L.P.<br>Attn: George N. Spiva<br>4121 Hillsboro Road<br>Suite 202<br>Nashville, TN 37215 | 131-6A-16<br>131-6A-19 |

THE STATE OF TENNESSEE §
§
COUNTY OF DAVIDSON §

The actual consideration or value, whichever is greater, for this transfer is $1,776,010.24.

Affiant (Grantee)

Subscribed and sworn to before me, this 6th day of September 1995.

[Official Seal]

Notary Public

My Commission Expires: 3/2/98

SPECIAL WARRANTY DEED

TENNESSEE REAL ESTATE INVESTMENTS, L.P., a Tennessee limited partnership ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and does hereby GRANT, SELL, and CONVEY unto CHERRY GLEN PARTNERS, L.P., a Tennessee limited partnership, ("Grantee") in fee simple, its heirs and assigns, that certain land located in Davidson County, Tennessee, and being more particularly described in Exhibit A, attached hereto and incorporated herein by reference, together with all improvements, if any, located on such land (such land and improvements being collectively referred to as the "Property").

This conveyance is made and accepted subject to all matters (the "Permitted Exceptions") set forth in Exhibit B, attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances pertaining thereto, including all of Grantor's right, title and interest in and to adjacent streets, alleys and rights-of-way, subject to the Permitted Exceptions, unto Grantee and Grantee's heirs, successors and assigns forever; and Grantor does hereby bind itself and its successors to warrant and forever defend the Property unto Grantee and Grantee's heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

By acceptance of this Special Warranty Deed, Grantee agrees to and accepts all of the foregoing matters.

Ad valorem taxes for the present year having been prorated, Grantee hereby assumes payment in accordance with the terms of its contract with Grantor thereof, and subsequent assessments for that and prior years due to change in land usage, ownership, or both.

IN WITNESS WHEREOF, GRANTOR, has caused this Special Warranty Deed to be executed on the 15 day of September 1995.

ATTEST:

_____
_____Secretary

TENNESSEE REAL ESTATE INVESTMENTS, L.P.,
a Tennessee limited partnership

BY: Mertech Development Corporation, a Tennessee corporation, its general partner

By: Ronald M. Sohn

Name: Ronald M. Sohn

Title: President

STATE OF TENNESSEE §
§
COUNTY OF DAVIDSON §

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Randall D. Law with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who upon his/her oath acknowledged himself/herself to be President of Mertech Development, Inc., a Tennessee corporation and the sole general partner of Tennessee Real Estate Investments, L.P., the within named bargainor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such President.

Witness my hand and seal, in Nashville Tennessee, this the 1st day of September, 1995.

[Official Seal]

Notary Public, State of Tennessee

My Commission Expires: 3/2/98

EXHIBIT "A"

PROPERTY DESCRIPTION

Land in Davidson County, Tennessee, being Tracts 16 and 19 on the Plan of the Resubdivision of Tract 16 of Burton Hills of record in Book 6900, page 55, as amended in Book 6900, page 304, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate legal description, and being further described in Schedule A-1 and Schedule A-2 attached hereto and incorporated herein by this reference.

Being part of the same property conveyed to Tennessee Real Estate Investments, L.P., by deed from Mertech Realty, L.P., of record in Book 9203, page 361, said Register's Office.

0100918
IDENTIF. ↑ REFERENCE
MAIL ENV.
95 SEP 15 PM 3:57
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

SCHEDULE A-1

BOOK 9796PG 726

**PROPERTY DESCRIPTION**

**BURTON HILLS**
**TRACT 16**

Land lying in the 33rd Councilmanic District, City of Nashville, Davidson County, Tennessee and being more particularly described as follows:

Beginning at a concrete monument lying in the westerly margin of Compton Trace (a 50' R.O.W.), said monument marks the northernmost corner of the Village of Ravenwood of record in Deed Book 6900, page 222, and being shown on a plat of Burton Hills of record in Plat Book 6900, page 363, Register's Office, Davidson County, Tennessee; thence leaving said margin South 50°31'41" West 230.95 feet to a P.K. nail; thence North 82°11'04" West 238.00 feet to a concrete monument; thence South 07°43'16" West 60.03 feet to a concrete monument; thence North 82°10'24" West 25.07 feet to a concrete monument; thence South 07°48'57" West 262.18 feet to an iron rod; thence North 82°11'04" West 34.91 feet along the north margin of Harding Place (80' R.O.W.) to an iron rod; thence leaving the north margin of Harding Place North 07°48'57" East 262.23 feet to a concrete monument; thence North 82°09'31" West 25.08 feet to a concrete monument; thence North 07°49'03" East 59.99 feet to a concrete monument; thence North 82°13'09 West 100.13 feet to a concrete monument; thence South 07°36'17" West 7.95 feet to a concrete monument; thence North 82°11'33" West 179.97 feet to a concrete monument; thence South 52°48'20" West 84.78 feet to a concrete monument; thence North 82°11'03" West 170.04 feet to a P.K. nail; thence North 07°48'57" East 36.85 feet to a mark in concrete; thence with a curve to the left having a central angle of 90°00'00", a radius of 87.00 feet, an arc length of 136.66 feet and a chord bearing and distance of North 37°11'03" West 123.04 feet to a mark in concrete; thence North 82°11'03" West 57.12 feet to a P.K. nail; thence North 07°48'57" East 70.00 feet to an iron rod; thence North 67°20'00" East 68.38 feet to an iron rod; thence North 11°36'46" West 255.36 feet to a mark on a sanitary sewer manhole; thence North 27°30'00" West 118.00 feet to an iron rod; thence North 39°38'11" West 161.54 feet to an iron rod lying in the southerly margin of Seven Hills Boulevard; thence with said margin in a curve to the right having a central angle of 06°04'00", a radius of 1195.63 feet, an arc length of 126.60 feet and a chord bearing and distance of North 59°51'26" East 126.54 feet to an iron rod; thence South 14°09'44" East 69.65 feet to an iron rod; thence South 32°30'00" East 50.50 feet to an iron rod; thence South 67°30'00" East 52.84 feet to an iron rod; thence North 83°20'00" East 61.88 feet to an iron rod; thence North 71°00'00" East 77.60 feet to an iron rod; thence North 66°20'00" East 147.10 feet to an iron rod; thence with a curve to the right having a central angle of 38°14'29", a radius of 108.53 feet, an arc length of 72.44 feet and a chord bearing and distance of South 13°27'13" East 71.10 feet to an iron rod; thence South 05°40'00" West 158.00 feet to an iron rod; thence South 83°10'00" East 107.00 feet to an iron rod; thence North 48°38'56" East 91.34 feet to an iron rod; thence South 59°29'54" East 87.84 feet to an iron rod; thence South 78°35'48" East 190.30 feet to an iron rod; thence North 87°46'28" East 159.70 feet to an iron rod lying in the westerly margin of Compton Trace (50' R.O.W.); thence along said westerly margin of Compton Trace with a curve to the left having a central angle of 33°17'51", a radius of 763.58 feet, an arc length of 443.76 feet and a chord bearing and distance of South 28°01'05" East 437.54 feet to the point of beginning, containing 13.46 acres, more or less.

Included in the aforementioned tract is a 20-foot public utility and drainage easement as shown on a survey entitled Resubdivision of Tract 16, Burton Hills of Record in Plat Book 6900, page 55, Register's Office of Davidson County, Tennessee.

Also included is a 8.5 foot ingress/egress easement of record in Deed Book 8919, page 779, Register's Office of Davidson County, Tennessee.

Being a portion of the same property conveyed to Tennessee Real Estate Investments, L.P., of record in Deed Book 9203, page 361, Register's Office of Davidson County, Tennessee.

SCHEDULE A-2

PROPERTY DESCRIPTION

BURTON HILLS
TRACT 19

Land lying in the 33rd Councilmanic District, City of Nashville, Davidson County, Tennessee and being more particularly described as follows:

Commencing at a concrete monument lying in the westerly margin of Compton Trace (50' R.O.W.), said monument marks the northernmost corner of the Village of Ravenwood, of record in Deed Book 6900, page 222, and being shown on a plat of Burton Hills of record in Plat Book 6900, page 363, Register's Office, Davidson County, Tennessee; thence along westerly margin of Compton Trace with a curve to the right having a central angle of 33°17'51", a radius of 763.58 feet, an arc length of 443.76 feet and a chord bearing and distance of North 28°01'05" West 437.54 feet to an iron rod being the true point of beginning; thence leaving said margin with the northerly line of Tract 16 South 87°46'28" West 159.70 feet to an iron rod; thence North 78°35'48" West 190.30 feet to an iron rod; thence North 59°29'54" West 87.84 feet to an iron rod; thence South 48°38'56" West 91.34 feet to an iron rod; thence North 83°10'00" West 107.00 feet to an iron rod; thence north 05°40'00" East 158.00 feet to an iron rod; thence with a curve to the left having a central angle of 38°14'29", a radius of 108.53 feet, an arc length of 72.44 feet and a chord bearing and distance of North 13°27'13" West 71.10' feet to an iron rod; thence with a curve to the right having a central angle of 05°04'26", a radius of 559.07 feet, an arc length of 49.51 feet and a chord bearing and distance of North 30°02'16" West 49.49 feet to an iron rod lying in the westerly margin of Cumberland Place (50' R.O.W.); thence North 62°30'00" East 50.00 feet to an iron rod lying in the easterly margin of Cumberland Place; thence along said easterly margin of Cumberland Place with a curve to the right having a central angle of 01°38'24", a radius of 509.07 feet, an arc length of 14.57 feet and a chord bearing and distance of North 26°40'51" West 14.57 feet to an iron rod; thence North 58°40'00" East 167.34 feet to an iron rod; thence North 53°50'00" East 196.00 feet to an iron rod; thence north 74°40'00" East 151.00 feet to an iron rod; thence North 68°00'00" East 206.26 feet to an iron rod lying in the westerly margin of Compton Trace; thence along said westerly margin of Compton Trace with a curve to the right having a central angle of 18°51'35", a radius of 518.25 feet, an arc length of 170.59 feet and a chord bearing and distance of South 03°44'12" West 169.82 feet to a concrete monument; thence South 13°10'00" West 164.00 feet to an iron rod; thence with a curve to the left having a central angle of 24°32'09", a radius of 763.58 feet, an arc length of 326.99 feet, and a chord bearing and distance of South 00°53'55" West 324.50 feet to the true point of beginning, containing 6.75 acres, more or less.

Included in the aforementioned tract is a 20-foot public utility and drainage easement as shown on a survey entitled Resubdivision of Tract 16, Burton Hills of Record in Plat Book 6900, page 55, Register's Office of Davidson County, Tennessee.

Being a portion of the same property conveyed to Tennessee Real Estate Investments, L.P., of record in Deed Book 9203, page 361, Register's Office of Davidson County, Tennessee.

EXHIBIT B
PERMITTED EXCEPTIONS

1. Governmental rights of police power or eminent domain unless notice of the exercise of such rights appears in the public records as of the date hereof; and the consequences of any law, ordinance or governmental regulation including, but not limited to, subdivision, building and zoning ordinances.

2. Defects, liens, encumbrances, adverse claims or other matters (1) not known to the Grantor and not shown by the public records but known to the Grantee as of the date hereof and not disclosed in writing by the Grantee to the Grantor prior to the date hereof; (2) resulting in no loss or damage to the Grantee; or (3) attaching or created subsequent to the date hereof.

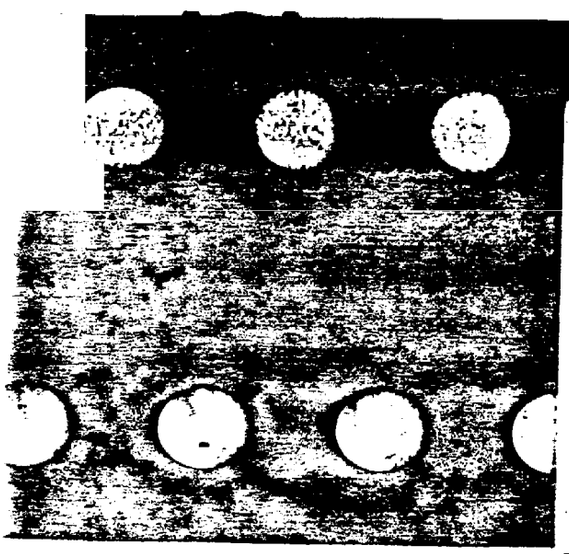
3. Visible and apparent easements and all underground easements, the existence of which may arise by unrecorded grant or by use except those known to the Grantor and not known to the Grantee.

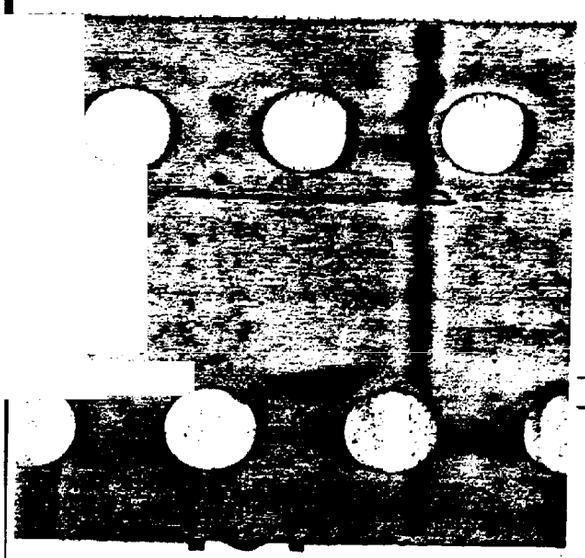
4. Taxes and assessments for the year of closing (as provided in a contract between Grantee and Grantor) and subsequent years and subsequent assessments for prior years due to a change in use or ownership.

5. All matter which would be disclosed by a personal inspection of the Property or by a current, accurate, physical survey of the Property.

Initials

4734 09/15 0101 03CHECK 6600.24





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

RECEIVED OF _____

FOR _____

BOOK 9796 PG 729

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|
| | | | | |

CAMT
1776010.24
CON TX 6571.24
PRFEE 1.00
WDEED 28.00
TOTAL 6600.24
CASH 6600.24

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

09/15/95 01 15:58 0001 4764

01009 18
IDENTIF. # REFERENCE

95 SEP 15 PM 3:57
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No. 953619