[illegible] Fil 35 CTIC

This instrument prepared by:
KANE, RUSSELL, COLEMAN & LOGAN, P.C.
3700 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201
Attention: David N. Condon

[illegible] 9850PG502

# LIMITED WARRANTY DEED AND BILL OF SALE

| ADDRESS NEW OWNER AS FOLLOWS: | SEND TAX BILLS TO: | MAP PARCEL NUMBERS |
|---|---|---|
| MOSES LERNER ("Grantee") | MOSES LERNER | 163-295 |
| 9879 SANTA MONICA BLVD. | 9879 SANTA MONICA BLVD. | |
| BEVERLY HILLS, CALIFORNIA 90212 | BEVERLY HILLS, CALIFORNIA 90212 | |

FOR AND IN CONSIDERATION of the sum of Ten dollars and no/100 ($10.00), cash in hand paid by the Grantee and other good and valuable considerations accepted as cash, the receipt and sufficiency of which are hereby acknowledged, **PIEDMONT NASHVILLE PARTNERS, L.P.**, a Georgia limited partnership ("Grantor"), this day bargained and sold, and does hereby grant transfer and convey unto the said **MOSES LERNER**, the Grantee herein, his successors, heirs and assigns, certain real property consisting of approximately 7.82 acres commonly known as 5434 Bell Forge Lane East, located in the City of Antioch, Davidson County, Tennessee, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference, together with (a) all right, title and interest of Grantor in and to (i) all buildings, structures and improvements thereon, (ii) any adjacent land lying in the bed of any public way or private roads, and (iii) any condemnation awards accrued or which may hereafter accrue in connection with the described real property, and (b) all personal property, if any, located at and used in connection with the operation of the real property, including, but not limited to building equipment, machinery and fixtures.

*STATE OF TENNESSEE*
*COUNTY OF DAVIDSON* *The actual consideration or value whichever is greater, for this transfer is* $4,184,390.00
*Subscribed and sworn to before me this the* 30 *day of* NOV., *19* 95
*Affiant*
*My commission expires:* [illegible] *(Affix Seal)*
*Notary Public*

This is improved property, known as 5434 Bell Forge Lane East, Antioch, Tennessee.

TO HAVE AND TO HOLD said real estate, with the appurtenance, estate, title and interest thereto belonging, to the Grantee, his successors, heirs and assigns forever we covenant that we are lawfully seized and

possessed of said real estate in fee simple. have a good right to convey it, and that the same is unencumbered, except for those permitted encumbrances ("Permitted Encumbrances") set forth in **Exhibit "B"** attached hereto and incorporated herein for all purposes.

Except for the Permitted Encumbrances, we further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to said real estate to said Grantee, his successors, heirs and assigns, against the lawful claims of all persons, claiming by, through or under the Grantor.

Whenever used, the singular number shall include the plural, the plural singular and the use of any gender shall be applicable to all genders.

Witness our hand this 31st day of October, 1995, the Grantor, having caused its name to be signed hereto by this duly authorized officer on said day and date.

**GRANTOR:**

**PIEDMONT NASHVILLE PARTNERS, L.P.**
a Georgia limited partnership

By: **PIEDMONT CAPITAL CORPORATION,**
a Texas corporation,
its general partner

By: _____
Robert L. Mencke
Vice President

STATE OF TEXAS §
§
COUNTY OF DALLAS §

Personally appeared before me, Tammy Miller a Notary Public in and for Dallas County, Texas, Robert L. Mencke, Vice President of **PIEDMONT CAPITAL CORPORATION**, a Texas corporation and general partner of Grantor, on behalf of **PIEDMONT NASHVILLE PARTNERS, L.P.**, a Georgia limited partnership, the within named Grantor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal at Dallas, TX, this 31st day of October, 1995.

_____
Notary Public

My commission expires:_____

TAMMY MILLER
MY COMMISSION EXPIRES
July 10, 1999

(1)C:\WORK\DNC\PIEDMONT\LERNER.DEE

**EXHIBIT "A"**

**Property Description**

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of Belle Forge Commercial Park, Section Three, of record in Plat Book 6250, page 322, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description of said lot.

Being part of the property conveyed to Piedmont Nashville Partners, L.P., by Deed from Spirit Holding Company, Inc., a Missouri corporation, of record in Book 9480, page 718, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"

BOOK 9850 PG 505

**Permitted Exceptions**

1. Taxes for 1995 not yet due and payable.

2. All matters shown on the Plan of record in Book 6250, page 322, in Register's Office for Davidson County, Tennessee.

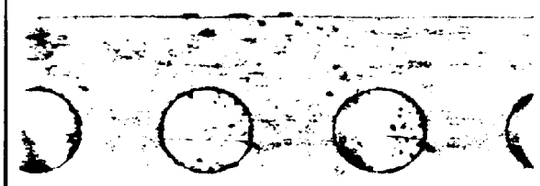
3. Restrictive Covenants contained in an instrument of record in Book 5993, page 769, as amended in Book 6207, page 838, Book 6301, page 775, and Book 7375, page 782, Register's Office for Davidson County, Tennessee.

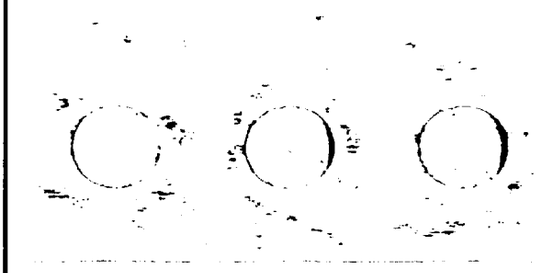
4. All matters as shown on Survey and Surveyor's Report of Alley & Associates, dated September 7, 1994, as revised September 23, 1994, including encroachment of concrete pad and curb on Public Utility and Drainage Easement along easterly and southerly lot lines.

5. Lease Agreement dated September 28, 1994, made and entered into by and between Piedmont Nashville Partners, L.P. and The Musicland Group, Inc.

6. Attornment, Subordination and Non-Disturbance Agreement by and among SouthTrust Bank of Georgia, N.A., The Musicland Group, Inc., and Piedmont Nashville Partners, L.P., recorded in the Register's Office of Davidson County, Tennessee.

4691 11/03 0101 03CHECK 15499.28







**OFFICIAL RECEIPT**

**FELIX Z. WILSON, II**

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

RECEIVED OF _____

FOR _____ BOOK 9850 PG 506

| | | |
|---|---|---|
| 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
4184390.00
CON TX 15482.28
PRFEE 1.00
WDEED 16.00
TOTAL 15499.28
CHECK 15499.28
11/03/95 01 15:51 0001 4691

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

0119565

95 NOV -3 PM 3:50

FELIX Z. WILSON, II
DAVIDSON COUNTY, TN

**No.** 973312