Bcv 49

BOOK 11684 PAGE 480

Prepared by: Debra J. Breton, Esq.
Hale and Dorr LLP
60 State Street
Boston, MA 02109

ADDRESS OF NEW OWNER AS FOLLOWS:

British Highland Wind, L.P.
545 Mainstream Drive, Suite 101
Nashville, TN 37228-1301

SEND TAX BILLS TO:

Same

MAP-PARCEL NUMBERS:

Map 51-5
Parcel 2

# QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of One Dollars ($1.00), the receipt of which is hereby acknowledged, BRI OP Limited Partnership, a Delaware limited partnership (the "Grantor"), by these presents does hereby quitclaim and convey unto British Highland Wind, L.P., a Tennessee limited partnership (the "Grantee"), its successors and assigns, all of its right, title and interest in and to certain real estate in Davidson County, Tennessee, being more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference (the "Property").

This is improved property known as the Highland Ridge Apartments, 721 New Due West Avenue, Madison, Tennessee 37115.

Said Property is conveyed subject to such limitations, restrictions, and encumbrances as may affect the premises.

This instrument may be executed in several counterparts, and all so executed shall constitute one instrument, binding upon all the parties hereto, notwithstanding that all the parties are not signatories to the original counterpart. This instrument may also be executed with multiple signature pages, which may be attached to and form one or more counterparts hereof.

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be executed this 28 day of September, 1999.

BRI OP LIMITED PARTNERSHIP

By: Berkshire Apartments, Inc.,
General Partner

By: _____
David J. Olney
~~Senior~~ Executive Vice President

0641763
IDENTIF. & REFERENCE

99 OCT -1 PM 2:08
BILL GARNER REGISTER
DAVIDSON COUNTY, TN.

18.00 CHECK 10/01 0101 0CCHECK 4274

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF SUFFOLK )

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared David J. Olney, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be ~~Senior~~ Executive Vice President of Berkshire Apartments, Inc., the general partner of BRI OP Limited Partnership, and that he as such Senior Vice President os such corporate general partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited partnership by himself as ~~Senior~~ Executive Vice President of Berkshire Apartments, Inc., the corporate general partner of BRI OP Limited Partnership.

Witness my hand and seal, at Boston, Massachusetts, this 28th day of September, 1999.

Notary Public

Joel H. Sirkin
NOTARY PUBLIC
My Commission expires Feb. 8, 2002

My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF SUFFOLK )

The actual consideration for this transfer is $0.00.

Affiant

Subscribed and sworn to before me this 28th day of September, 1999.

Notary Public

Joel H. Sirkin
NOTARY PUBLIC
My Commission expires Feb. 8, 2002

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION

Being a parcel of land in Madison, Second Civil District, Fourth Councilmanic District, Davidson County, Tennessee, located in the northwesterly quadrant of the intersection of Due West Avenue and Old Due West Avenue and being more particularly described according to Survey by Barge Waggoner Sumner & Cannon, Inc., 162 Third Avenue North, Nashville, Tennessee 37201, dated September 3, 1999 bearing Job No. 3328-08, prepared by Kirk S. Duclos, P.L.S. #1936, as follows:

BEGINNING at an iron pin in the westerly right-of-way line of Due West Avenue, said iron pin being the southeasterly corner of property conveyed to Charles A. & Barbara H. Gilbert by deed of record in Book 9750, Page 298, Register's Office for Davidson County, Tennessee, said iron pin also being northerly 515.25 feet from the northerly right-of-way line of Old Due West Avenue;

THENCE, with said right-of-way line the following calls:

South 22 degrees 27 minutes 02 seconds East, 152.50 feet to an iron pin;

with a curve to the left 244.00 feet to an iron pin, said curve having a central angle of 15 degrees 12 minutes 00 seconds, a radius of 919.76 feet, a tangent of 122.72 feet and a chord of South 30 degrees 03 minutes 02 seconds East, 243.29 feet;

South 37 degrees 39 minutes 02 seconds East, 118.75 feet to an iron pin;

THENCE, leaving said right-of-way line with the northerly right-of-way line of Old Due West Avenue South 02 degrees 04 minutes 59 seconds East, 81.26 feet to a point;

THENCE, continuing with said right-of-way line South 38 degrees 19 minutes 36 seconds West, 243.00 feet to an iron pin;

THENCE, leaving said right-of-way line South 51 degrees 40 minutes 24 seconds East, 40.73 feet to a point in the centerline of Old Due West Avenue;

THENCE, with said centerline to the following calls:

South 33 degrees 16 minutes 59 seconds West, 132.28 feet to a point;

with a curve to the right 148.57 feet to a point, said curve having a central angle of 25 degrees 51 minutes 01 seconds, a radius of 329.29 feet, a tangent of 75.57 feet and a chord of South 46 degrees 12 minutes 29 seconds West, 147.31 feet;

South 59 degrees 08 minutes 00 seconds West, 286.64 feet to a point;

with a curve to the right 177.05 feet to a point, said curve having a central angle of 48 degrees 00 minutes 00 seconds, a radius of 211.34 feet, a tangent of 94.09 feet and a chord of South 83 degrees 08 minutes 00 seconds West, 171.92 feet;

North 72 degrees 51 minutes 56 seconds West, 286.91 feet to a point;

THENCE, leaving said centerline with the easterly line of property conveyed to Vasile & Alina Cavopol by deed of record in Book 9248, Page 786, Register's Office for Davidson County, Tennessee, North 01 degrees 52 minutes 19 seconds West, 366.14 feet to a point;

THENCE, with the easterly line of property conveyed to Terry W. Burdette, et ux, by deed of record in Book 5278, Page 1, Register's Office for Davidson County, Tennessee, North 00 degrees 42 minutes 41 seconds East, 353.39 feet to a point;

THENCE, with the easterly line of property conveyed to J.D. Stephens, et ux, by deed of record in Book 4095, Page 230, Register's Office for Davidson County, Tennessee, North 34 degrees 07 minutes 11 seconds West, 518.60 feet to an iron pin;

THENCE, leaving said easterly line with the southerly line of property conveyed to John T. Burdette by deed of record in Book 6603, Page 621, Register's Office for Davidson County, Tennessee, and to Deborah D. Myers by deed of record in Book 5496, Page 122, Register's Office for Davidson County, Tennessee, North 67 degrees 22 minutes 42 seconds East, 510.77 feet to an iron pin;

THENCE, with the westerly line of property conveyed to said Myers, to W.E. Jones by deed of record in Book 3208, Page 30, Register's Office for Davidson County, Tennessee, to Fred L. Howell by deed of record in Book 3376, Page 419, Register's Office for Davidson County, Tennessee, and to Charles A. & Barbara H. Gilbert by deed of record in Book 9750, Page 298, Register's Office for Davidson County, Tennessee, South 22 degrees 25 minutes 55 seconds East, 500.72 feet to an iron pin;

THENCE, with the southerly line of said Gilbert property North 67 degrees 04 minutes 55 seconds East, 400.56 feet to the point of beginning.

Containing 1,023,293 square feet or 23.49 acres, more or less.

Being the same property conveyed to BRI OP Limited Partnership, a Delaware limited partnership from BVT Chestnut Hill Apartments, L.P., a Tennessee limited partnership, dated as of November 1, 1995 and recorded in Deed Book 9846, Page 27.