This Instrument Prepared by:

Daniel M. Katlein, Esq.
Allard & Fish, P.C.
2600 Buhl Building
535 Griswold
Detroit, MI 48226

Instr:200005110047755 Page: 1 OF 6
REC'D FOR REC 05/11/2000 12:29:31PM
RECORD FEE: $27.00
M. TAX: $0.00 T. TAX: $4625.00

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS That Jay Alix & Associates, Chapter 11 Trustee for Hospitality Investment Corporation in the United States Bankruptcy Court, Eastern District of Michigan, Southern Division, Case No. 99-40370-SWR, pursuant to Order Regarding Chapter 11 Trustee's Motion for Entry of Order: (A) Authorizing Sale of Nashville Property Free and Clear of Liens, Claims and Encumbrances and Transferring Liens, Claims and Encumbrances to Proceeds; and (B) Granting Other Relief entered by Hon. Steven W. Rhodes on April 20, 2000, a copy of which is attached hereto, for and in consideration of One Million Two Hundred Fifty Thousand and 00/100 Dollars ($1,250,000.00), does hereby bargain, sell, remise, release, quit claim and convey unto Prakash Jaju, his heirs and assigns, free and clear of liens, the following described real estate located in the County of Davidson, State of Tennessee, to-wit:

Land in Davidson County, Tennessee, being Lot No. 1, on the Plan of Section 4A, South Perimeter Park as shown on plat of record in Plat Book 5200, page 799, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

BEING the same property conveyed to Hospitality Investment Corp., a Michigan Corporation by Deed of Record in Book 8859, page 80, Register's office for Davidson County, Tennessee.

The grantor covenants that it has not previously transferred or encumbered its interest in the real property and has not, through its own act, error or omission, impaired the marketability of title to the premises conveyed.

IN TESTIMONY WHEREOF I (We) have executed this instrument this the 8th **day of May, 2000.**

Susan Vail

Laurie Cohen
LAURIE COHEN

Jay Alix & Associates, Chapter 11 Trustee for Hospitality Investment Corporation in United States Bankruptcy Court, Eastern District of Michigan, Southern Division, Case No. 99-40370-SWR

By: H E Schatz
Harvey Schatz
Its: Principal

STATE OF MICHIGAN, COUNTY OF OAKLAND

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Harvey Schatz to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same on behalf of Jay Alix & Associates, Chapter 11 Trustee for Hospitality Investments Corporation in the United States Bankruptcy Court, Eastern District of Michigan, Southern Division, Case No. 99-40370-SWR.

WITNESS my hand and Notarial Seal at office this 8th **day of May, 2000.**

Sheryl Chapin
Notary Public
Macomb County, acting in Oakland County

My commission expires 9-28-04

Property address 323 Harding Place, Nashville, TN

Mail tax bills to: (Person or Agency responsible for payment of taxes)

Prakash Jaju
1113 Indian Point Drive
Brentwood, TN 37027

SHERYL LYNN CHAPIN NOTARY PUBLIC STATE OF MICHIGAN

State of Tennessee
County of Davidson
I, or we, hereby swear or affirm that to the best of affiants knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred is $1,250,000.00

Affiant

Subscribed and sworn to before me this the 9th **day of May, 2000.**

Notary Public

My Commission Expires: 11-12-2003

NOTARY PUBLIC LARGE COUNTY

A TRUE COPY
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
Deputy Clerk
DATE: APR 20 2000

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

HOSPITALITY INVESTMENT CORP.,

Debtor.

4020 W. Lafayette
Detroit, MI 48209
FEIN: 38-3085303

_____/

Chapter 11
Case No. 99-40370-SWR
Hon. Judge Rhodes

ORDER REGARDING CHAPTER 11 TRUSTEE'S MOTION FOR ENTRY OF ORDER: (A) AUTHORIZING SALE OF NASHVILLE PROPERTY FREE AND CLEAR OF LIENS, CLAIMS AND ENCUMBRANCES AND TRANSFERRING LIENS, CLAIMS AND ENCUMBRANCES TO PROCEEDS; AND (B) GRANTING OTHER RELIEF

This matter having come before the Court on the Chapter 11 Trustee's Motion for Entry of Order: (A) Authorizing Sale of Nashville Property Free and Clear of Liens, Claims and Encumbrances and Transferring Liens, Claims and Encumbrances to Proceeds; and (B) Granting Other Relief (the "Motion"); it appearing to the Court that notice of and an opportunity to respond to the Motion has been properly given in accordance with Fed.R.Bankr.P. 2002, 6004, and 9014, and L.B.R. 6004-1(E.D.M.); an objection to the Motion having been filed by Gerald Jankowski (the "Objection"); a hearing having been held on April 18, 2000 at which the Court heard argument of counsel; and the Court being otherwise duly advised in the premises;

NOW, THEREFORE, IT IS ORDERED that the Objection is sustained and the Motion shall be, and is hereby, denied to the extent that the Motion sought authority to sell the Nashville Property (as defined in the Motion) to Prakesh Jaju in a private sale for $925,000.

IT IS FURTHER ORDERED that the Chapter 11 Trustee shall be, and is hereby, authorized to conduct an auction sale on May 1, 2000, at 1:00 p.m., or such later date and time as may be determined by the Chapter

11 Trustee, at the offices of counsel for the Chapter 11 Trustee, 2600 Buhl Building, 535 Griswold, Detroit, Michigan 48226, to sell the Nashville Property to Jayesh Dullabh Patel (or a corporation to be formed), who has bid $975,000 for the Nashville Property, or to such other person who makes a higher and better non-contingent offer than the $975,000 bid described above. Any person or entity intending to bid at the auction must provide the Chapter 11 Trustee with a minimum $50,000 earnest money deposit (the "Earnest Money Deposit"), payable by cashier's or certified check(s), and bids will be taken in increments of not less than $5,000. To be eligible to bid each prospective bidder's Earnest Money Deposit must be tendered to counsel for the Chapter 11 Trustee prior to the commencement of the auction, and each prospective purchaser shall be required to execute a purchase and sale agreement in a form provided by counsel for the Chapter 11 Trustee immediately prior to the commencement of the auction (with the purchase price left blank until after the completion of the auction). The purchase and sale agreement shall contemplate a closing at the earliest practicable date following completion of the auction (anticipated to be May 5, 2000 if the auction proceeds on May 1, 2000). The legal description of the Nashville Property is as follows:

> Land in Davidson County, Tennessee, being Lot No. 1, on the Plan of Section 4A, South Perimeter Park, as shown on plat of record in Plat Book 5200, page 799, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.
>
> Being the same property conveyed to Hospitality Investment Corp., a Michigan corporation, by Deed of Record in Book 8859, page 80, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED that in the event that the highest bidder at the auction held pursuant to this Order is unable or unwilling to close

the sale of the Nashville Property at the earliest practicable date, such bidder's Earnest Money Deposit shall be forfeited and the Chapter 11 Trustee shall be, and is hereby, authorized to sell the Nashville Property without further notice or Court approval to the next highest bidder at the auction whose Earnest Money Deposit and purchase and sale agreement shall be retained by the Chapter 11 Trustee until a sale of the Nashville Property has been consummated, and this process shall continue until a sale has been consummated or all Earnest Money Deposits have been forfeited. For purposes of this Order, the $925,000 offer of Prakesh Jaju evidenced by the Agreement (as defined in the Motion) shall be deemed a bid at the auction, and the Agreement shall constitute a purchase and sale agreement as contemplated by this Order.

IT IS FURTHER ORDERED that in the event Prakesh Jaju is not the successful bidder at the auction held pursuant to this Order he shall be entitled to file an application for payment of an administrative claim for expenses incurred by him in connection with his offer to purchase the Nashville Property; provided, however, in the event that Prakesh Jaju is not the successful bidder at the auction held pursuant to this Order and a sale of the Nashville Property is consummated with a bidder other than Prakesh Jaju, the Chapter 11 Trustee may, with the consent of Gerald Jankowski, reimburse Prakesh Jaju from the proceeds of such sale for out-of-pocket expenses not to exceed $5,000 incurred by or on behalf of Prakesh Jaju in connection with the Agreement upon receipt by the Chapter 11 Trustee of reasonable documentation substantiating such expenses.

IT IS FURTHER ORDERED that the sale of the Nashville Property shall be free and clear of all liens, claims, and encumbrances of any

kind or nature in accordance with 11 U.S.C. §§363(b), 363(f) and 105, with such liens, claims and encumbrances attaching only to the net proceeds of sale with the same priority, validity, force and effect as they now have against the Nashville Property.

IT IS FURTHER ORDERED that the Chapter 11 Trustee shall be, and is hereby, authorized to pay from the proceeds of the sale of the Nashville Property outstanding post-petition real and personal property taxes prorated for the current calendar year.

IT IS FURTHER ORDERED that this Order may be recorded or filed with any local, state or federal governmental recording office, including but not limited to the appropriate office or offices in the State of Tennessee for recording deeds and mortgages with respect to the Nashville Property, in order to evidence the fact that all liens, claims, and encumbrances with respect to the Nashville Property have been transferred from the Nashville Property to the net proceeds of the sale thereof.

IT IS FURTHER ORDERED that the Chapter 11 Trustee shall be, and is hereby, authorized to pay Baltes Commercial Realty a commission equal to three percent (3%) of the proceeds from the sale of the Nashville Property.

IT IS FURTHER ORDERED that the Chapter 11 Trustee shall be, and is hereby, authorized to execute such documents and agreements, and perform such acts as may be necessary or appropriate to implement, effectuate and consummate the transactions contemplated by this Order, including but not limited to the execution of a deed and bill of sale and any other documents deemed necessary or appropriate by the Chapter 11 Trustee and the payment of closing fees and costs, recording fees,

title insurance premiums, and any other costs associated with such transactions.

IT IS FURTHER ORDERED that the Chapter 11 Trustee shall promptly serve a copy of this Order on Prakesh Jaju, Jayesh Dullabh Patel, Nik Chudasama, all parties known by Baltes Commercial Realty who have expressed an interest in bidding on the Nashville Property, and any other prospective bidders whose identity is hereafter made known to counsel for the Chapter 11 Trustee by counsel for Gerald Jankowski, which service the Court deems appropriate notice of the terms of the auction to be held pursuant to this Order.

U.S. BANKRUPTCY COURT JUDGE

APPROVED AS TO FORM:

ALLARD & FISH, P.C.

DANIEL M. KATLEIN (P33474)
Attorneys for Chapter 11 Trustee
2600 Buhl Building
535 Griswold
Detroit, MI 48226
(313) 961-6141

JACOB & WEINGARTEN, P.C.

Howard S. Sher (by consent - DMK)
HOWARD S. SHER (P38337)
Attorneys for Gerald Jankowski
2301 W. Big Beaver Road
Suite 777
Troy, MI 48084
(248) 649-1900

31/809/pld/Ord.for.Entry