Record & Return To:
Watauga Title Company
155 Franklin Road, Suite 120
Brentwood, TN 37027

THIS INSTRUMENT PREPARED BY:
WHITE & REASOR, PLC (JMB)
3305 West End Avenue
Nashville, Tennessee 37203

Address New Owner:	Send Tax Bills To:	Map-Parcel No.:
J. D. Eatherly 1700 Hayes Street, Suite 104 Nashville, Tennessee 37203	New Owner	34-9/176

Davidson County DEEDWARR
Recvd: 05/09/02 10:49 3pgs
Fees:18.00 Taxes:16095.00
20020509-0057245

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of TEN and NO/100 DOLLARS ($10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Berry Hill Square, LLC, a Tennessee limited liability company hereinafter called "Grantor", has this day bargained and sold, and does hereby transfer and convey unto J. D. Eatherly, hereinafter called "Grantee", his heirs and assigns, certain real estate in Davidson County, Tennessee, described as follows:

Being land in Davidson County, Tennessee, being Lot No. 4 on the Plan of Rivergate Station, Section 4, as shown on a plat of record in Plat Book 7900, Page 18, in the Register's Office for Davidson County, Tennessee, and being more particularly described according to a survey prepared by Dale & Associates entitled "1515 Gallatin Pike," dated June 18, 2001 (Job No. 01058), and last revised September 11, 2001.

Beginning at an iron rod situated in the easterly margin of Gallatin Pike, said point also being the northwesterly corner of Turbo Investments International, Inc., of record in Book 9439, page 191, said Register's Office; thence, along said road, N 20 deg. 35' 55" E, a distance of 86.71 feet to an iron rod; thence, leaving said road, S 69 deg. 24' 05" E, a distance of 43.57 feet to an iron rod; thence, N 82 deg. 43' 06" E, a distance of 148.73 feet to an iron rod; thence, N 20 deg. 35' 59" E, a distance of 95.00 feet to an iron rod; thence, S 69 deg. 25' 23" E, a distance of 260.00 feet to an iron rod; thence, N 20 deg. 35' 59" E, a distance of 25.00 feet to an iron rod; thence, S 69 deg. 24' 01" E, a distance of 225.00 feet to an iron rod; thence, S 20 deg. 35' 59" W, a distance of 10.00 feet to an iron rod; thence, S 69 deg. 24' 01" E, a distance of 82.06 feet to an iron rod; thence S 07 deg. 17' 01" E, a distance of 259.76 feet to an iron rod situated in the northerly margin of Edenwold Road; thence, along said road, S 82 deg. 42' 59" W, a distance of 742.00 feet to an iron rod; thence, leaving said road, N 07 deg. 17' 01" W, a distance of 351.00 feet to an iron rod; thence, N 69 deg. 24' 05" W, a distance of 43.57 feet to the point of beginning and containing 302,691.900 square feet or 6.949 acres of land, more or less.

Together with appurtenances contained in a reciprocal declaration of easements and uses agreement as of record in Book 7993, Page 584, as amended in Book 9439, Page 193, said Register's Office; and

Together with appurtenances contained in a declaration of permanent building restriction as of record in Book 7993, Page 619, as re-recorded in Book 7997, Page 774, said Register's Office.

Being the same property conveyed to Berry Hill Square, LLC, a Tennessee limited liability company, by Instrument No. 20010917-0100612, Register's Office for Davidson County, Tennessee.

This is improved property known as 1515 Gallatin Road, Nashville, Tennessee.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the said Grantee, its successors and assigns, forever.

Grantor further covenants that it is seized and possessed of said real estate and has the right to convey it, and binds itself, its successors and assigns, to warrant and forever defend the title to said real estate to said Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise; provided, however, that this conveyance is subject to the following:

1. Taxes for the year 2002, a lien, which are not yet due and payable;

2. Deed of Trust given to John T. Flaugher, as Trustee, in Instrument Number 200109170100613, Register's Office for Davidson County, Tennessee, securing Franklin National Bank;

3. Subordination & Non-Disturbance Agreement of record as Instrument 20011012-0111432, Register's office for Davidson County, Tennessee;

4. Terms and provisions of Lease of record in Book 8272, Page 287, as assigned in Book 8698, Page 339, as subordinated in Instrument Number 200110120111432, Register's Office for Davidson County, Tennessee;

5. Deed of Dedication of water main to Madison Suburban Utility District of record in Book 8231, Page 373, Register's Office for Davidson County, Tennessee;

6. Deed of Conveyance for sanitary sewer to Metropolitan Government of Nashville and Davidson County as of record in Book 8287, Page 1, and Book 8486, Page 379, Register's Office for Davidson County, Tennessee;

7. All matters shown on Plat recorded in Book 7900, Page 18, Register's Office for Davidson County, Tennessee;

8. Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, and limitations on title set forth in restrictions recorded in Book 7480, Page 965, as amended in Book 7537, Page 359, and in any allied instrument(s) referred to in said restrictions;

9. Reciprocal Declaration of Easements and Uses Agreement as of record in Book 7993, Page 584, as amended in Book 9439, Page 193, Register's Office for Davidson County, Tennessee; and

10. Easement(s) as set forth in instrument recorded in Instrument No. 200007260073996, Register's Office for Davidson County, Tennessee.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this the 3rd day of May, 2002.

"GRANTOR"

BERRY HILL SQUARE, LLC, a
Tennessee limited liability company

By: _____
George N. Spiva,
Chief Manager

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned, a Notary Public of said County and State, personally appeared George N. Spiva, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Chief Manager of Berry Hill Square, LLC, the within named bargainor, a Tennessee limited liability company, and that he as such Chief Manager executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chief Manager.

Witness my hand and seal, at office, this 3rd day of May, 2002.

_____
Notary Public

JOHN M. BAIRD
NOTARY PUBLIC AT LARGE
DAVIDSON CO

My commission expires:

1-28-06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $4,350,000.00.

_____
Affiant

SUBSCRIBED AND SWORN to before me, this 6th day of May, 2002.

1/29/06
My Commission Expires

_____
Notary Public

THOMAS I. BOTTORFF
NOTARY PUBLIC AT LARGE
WILLIAMSON COUNTY, TENN.