40-A

WARRANTY DEED

Davidson County DEEDWARR
Recvd: 05/14/02 15:29 2pgs
Fees:13.00 Taxes:3515.00
20020514-0059396

STATE OF TENNESSEE
COUNTY OF DAVIDSON

ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER AS $ 950,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 10th DAY OF May, 2002

Notary Public

MY COMMISSION EXPIRES: 7/26/03
(AFFIX SEAL)

ANDREW B. GIBSON NOTARY PUBLIC DAVIDSON COUNTY, TENNESSEE AT LARGE

My Commission

THIS INSTRUMENT WAS PREPARED BY
Gibson & Gregory, Suite 1900, 201 Fourth Ave., N., Nashville, Tennessee 37219

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
NENR Rivergate Partnership (NAME)	New Owner (NAME)	MAP 34-02
315 Woodland Street (ADDRESS)	(ADDRESS)	PARCEL 106
Nashville, TN 37206 (CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, Mark Brownell

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO NENR Rivergate Partnership, a Tennessee general partnership

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Krispy Kreme, as of record in Plat Book 7900, page 790, Register's Office for said County, to which plan reference is made for a more complete description.

Being the same property conveyed to Mark Brownell by deed from CNL Income Fund, XVI, Ltd. of record in Book 10923, page 875, said Register's Office.

This conveyance is made subject to the real estate taxes for the current year, which have been prorated and assumed by Grantee, and such limitations, restrictions and easements as may affect the premises.

The above described property has never been the principal residence of Grantor or Grantor's spouse, if married.

unimproved ( )
This is improved (X) property, known as 1905 Gallatin Pike North, Madison, TN 37115
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my hand this 10th day of May, 2002

Mark Brownell

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Mark Brownell

the bargainor _____, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained. Witness my hand and official seal at Nashville, Tennessee, this 10th day of May, 2002

Commission expires 7/26/03

Notary Public

STATE OF TENNESSEE
COUNTY OF

Before me, _____ Notary Public within and for the State and County aforesaid, personally appeared _____ with whom I am personally acquainted and who upon _____ oath acknowledged _____ of the _____ the within named bargainor, and corporation, and that _____ as such _____ being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing the name of the corporation, by the said _____ as such _____.

Witness my hand and official seal at office at _____ on this the _____ day of _____.

My commission expires _____

Notary Public

NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires July 26, 2003