Box 49
53997

PREPARED BY AND RETURN TO:
Alston & Bird, LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
Attention: Jaimie Johnson, Esq.

Davidson County DEEDWARR
Recvd: 12/05/02 11:46 5pgs
Fees:28.00 Taxes:48655.00
20021205-0149933

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 4th day of December 2002, between CB Pinnacle Heights, Inc., herein the "Grantor", and Gray Property 6101, LLC, a Virginia limited liability company (as to an 86.61% undivided interest), Gray Lumber Company, a Virginia corporation (as to a 4.56% undivided interest), Grayland Company, L.P., a Virginia limited partnership (as to a 0.58% undivided interest), and Gray Timber Resources, LLC, a Virginia limited liability company (as to an 8.25% undivided interest), collectively hereunder, as tenants in common, the "Grantee".

WITNESSETH

The Grantor, for and in consideration of the sum of Ten Dollars ($10.00), to it in hand paid by the Grantee, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold and does hereby grant, bargain and sell to Grantee the following described real estate, situated, lying and being in the County of Davidson, State of Tennessee, more particularly described on Exhibit A attached hereto and made a part hereof.

SUBJECT TO all matters of public record in the county in which the land is located which affect the land.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the tenements, hereditaments, easements and appurtenances thereto belonging or in anywise appertaining unto Grantee, its successors and assigns in fee simple forever.

And Grantor hereby covenants with Grantee that Grantor is lawfully seized in fee simple of the aforesaid real estate; that Grantor has good right to sell and convey the same; that the same is unencumbered except for those matters of record in the Register's Office of Davidson County, Tennessee, to all of which this conveyance is expressly made and that the title and quiet

possession thereto Grantor will warrant and forever defend against lawful claims of all persons claiming by, through or under Grantor, but against none other.

(When used herein the terms "Grantor" and "Grantee" shall be construed to include, masculine, feminine, singular or plural as the context permits or requires, and shall include heirs, personal representatives, successors or assigns.)

IN WITNESS WHEREOF, the Grantor has caused this Indenture to be executed in its name and under seal as of the day and year first above written.

GRANTOR:

CB Pinnacle Heights, Inc., a Delaware corporation

By: _____
Its: Investment Manager

ATTEST:

_____
Name: Jonathan H. Richter
Title: Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK

BEFORE me, the undersigned Notary Public in the state and county aforesaid, personally appeared STEPHEN T. BURGER and JONATHAN H. RICHTER, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged themselves to be the INVESTMENT MANAGER and ATTESTOR respectively of CB Pinnacle Heights, Inc., a Delaware corporation, the within named bargainor, a corporation, and that s/he is such officer, being authorized to do so, executed said instrument on behalf of the corporation for the purposes therein expressed.

WITNESS my hand and official seal this 2ND day of December 2002.

_____
Notary Public

HEATHER E. SIRIGNANO
Notary Public, State Of New York
No.01SI6060413
Qualified In Kings County
Commission Expires 6/25/03

My commission expires:
6/25/03

ATL01/11325856v3

* *

RECORDING DATA ONLY

Property Address:

2900 Baby Ruth Lane
Antioch, Tennessee 37013

I hereby swear or affirm that to the best of my knowledge, information, and belief, the actual consideration for this property transfer or value of the property transferred, whichever is greater, is $13,150,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Name and Address of Property Owner:

CB PINNACLE HEIGHTS, INC.
c/o RREEF
320 Park Avenue, Suite 1700
New York, New York 10022

CB Pinnacle Heights, Inc., a Delaware corporation

By: _____
AFFIANT

Name and Address of the Person or Entity Responsible for Payment of Real Property Taxes:

c/o GrayCo, Inc.
5004 Monument Avenue, Suite 200
Richmond, Virginia 23230

Subscribed and sworn to before me this 2nd day of December, 2002.

_____
NOTARY PUBLIC

Tax Parcel Identification No.:

163/119 and 163/135

My commission expires:

6/25/03

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel I:

LAND in the 2nd, Civil District of Davidson County, Tennessee being shown as Parcel 119 on the Plat of Mt. View Apartments as recorded in Book 9700, page 87, R.O.D.C., Tn. and being more particularly described as follows:

Beginning at a point in the easterly line of the Jack Nixon Property as recorded in Book 9426, page 394, said point being 21.35 feet north of Nixon's southeast corner; thence, N 10 degrees 00' 54" E, 375.32 feet to an old iron rod, thence, N 08 degrees 59' 41" W, 304.16 feet to an old iron rod, thence, S 86 degrees 23' 41" E, 156.84 feet to the westerly margin of the relocated Baby Ruth Lane, thence, along said margin S 02 degrees 53' 38" E, 69.66 feet; thence, along a curve to the right, an arc distance of 322.45 feet and a chord of S 10 degrees 19' 59" W, 319.60 feet; thence, S 23 degrees 33' 37" W, 301.29 feet to the point of beginning and containing 1.29 acres.

Parcel II:

LAND in the 1st Civil District of Davidson County, Tennessee, shown as Parcel 135 on the Plat of Mt. View Apartments as recorded in Plat Book 9700, page 87, R.O.D.C., Tn.:

Beginning at an iron rod in the northerly margin of Mt. View Road, (30' from the centerline); thence, along said margin N 66 degrees 14' 05" W, 142.45 feet to an iron rod; thence, N 65 degrees 36' 18" W, 97.52 feet; thence, N 66 degrees 26' 23" W, 72.72 feet; thence, along a curve to the right, an arc distance of 39.27 feet, said curve having a radius of 25.00 feet and a chord of N 21 degrees 26' 23" W, 35.36 feet to the easterly margin of the relocated Baby Ruth Lane (a 60 foot right-of-way); thence, along said margin N 23 degrees 33' 37" E, 292.05 feet; thence, along a curve to the left, an arc distance of 350.16 feet and a chord of N 10 degrees 19' 59" E, 347.05 feet; thence, N 02 degrees 53' 38" W, 16.43 feet; thence, leaving Baby Ruth Lane and along the lines of MUR-CI Homes for the Retarded, Inc., as recorded in Book 6497, page 619, R.O.D.C., TN, S 71 degrees 05' 50" E, 233.48 feet to an iron rod; thence, N 02 degrees 19' 49" E, 253.99 feet to an iron rod; thence N 09 degrees 25' 06" E, 171.03 feet to an iron rod; thence, along the lines of Amber Caldwell and Sharon Wolf as recorded in Book 5766, page 154, R.O.D.C., TN., S 71 degrees 13' 35" E, 272.25 feet to an iron rod; thence, N 29 degrees 16' 27" E, 137.56 feet to an iron rod; thence, N 71 degrees 12' 51" W, 293.12 feet to an iron rod; thence, along the aforementioned MUR-CI Homes Property, N 20 degrees 49' 31" E, 174.75 feet to an iron rod; thence, along the lines of MUR-CI Homes Subdivision, as recorded in Book 7900, page 447, N 77 degrees 24' 15" E, 421.73 feet to an axle; thence, S 84 degrees 05' 05" E, 132.90 feet to an iron rod; thence, S 84 degrees 08' 14" E, 71.60 feet to an axle; thence, along the lines of J.P. Mitchell, etux as recorded in Book 4329, page 800, S 14 degrees 05' 14" W, 125.82 feet to an iron rod; thence, S 13 degrees 21' 56" W, 200.61 feet to an iron rod; thence, S 14 degrees 02' 06" W, 536.85 feet to an iron rod; thence S 15 degrees 20' 09" W, 85.89 feet to an iron rod; thence, aong the lines of Patsy Ann Hedgepath, etal., as recorded in Book 8047, page 495, R.O.D.C., TN., N 64 degrees 56' 35" W, 75.02 feet to an iron rod; thence, S 28 degrees 18' 25" W, 139.09 feet to an iron rod; thence, along the lines of Lester W. Mercer, etux, as recorded in

Book 4752, page 499, and Carolyn Fitzgerald, as recorded in Book 6313, page 189, R.O.D.C., TN., N 65 degrees 59' 13" W, 258.87 feet to an iron rod; thence, S 24 degrees 28' 34" W, 365.22 feet to an iron rod; thence, S 23 degrees 41' 05" W, 277.92 feet to the Point of Beginning and Containing 17.11 Acres.

Parcels I and II being the property conveyed to Nashville I DMC, LLC by Deed of record in Book 9867, page 707, Register's Office for Davidson County, Tennessee.

Tract III:

LAND lying and being in the 2nd Civil District of Davidson County, Tennessee, and described according to an unrecorded survey made by John D. McCormick, May 18, 1974, as follows:

BEGINNING at an iron pin in the northerly margin of Mount View Road, said point being the southwest corner of the property belonging to Billy R. Mash and wife, which was conveyed to them by an instrument of record in Book 4717, page 263, Register's Office for Davidson County, Tennessee, and being the southeast corner of the herein described tract of land, thence north 22 deg. 40 min. 10 sec. east 285.7 feet to an iron pin; thence north 67 deg. 19 min. 50 sec. west 108.7 feet to an iron pin; thence south 22 deg. 40 min. 10 sec. west 285.7 feet to an iron pin in the northerly margin of Mount View Road; thence with the northerly margin of Mount View Road, south 67 deg. 19 min. 50 sec. east 108.7 feet to the point of beginning and containing 0.71 acres, more or less.

Tract IV:

LAND lying and being in the 2nd Civil District of Davidson County, Tennessee, and described according to an unrecorded survey made by John D. McCormick, February 25th, 1978, as follows:

BEGINNING at an iron pin, same being located at the northeast corner of the property conveyed to Billy Gene Barber by deed from Grady P. Ghee and wife, Era Bennett Ghee, of record in Book 4818, page 583, Register's Office for Davidson County, Tennessee; thence, north 22 deg. 40 min. 10 sec. east 364.3 feet to an iron pin; thence north 67 deg. 19 min. 50 sec. west 108.7 feet to an iron pin; thence south 22 deg. 40 min. 10 sec. west 364.3 feet to an iron pin; same being the northwest corner of the Barber property; thence along the northerly boundary line of the Barber property south 67 deg. 19 min. 50 sec. east 108.7 feet to the point of beginning, containing 0.91 acres, more or less.

Being all of the property conveyed to Carolyn Fitzgerald, a single person, an unmarried woman by Deed of record in Book 6313, page 189, Register's office for said County.

And being the same property conveyed to Nashville I DMC, LLC by deed of record in Book 10604, page 713, R.O.D.C. The said Nashville I DMC, LLC is now known as CB Pinnacle Heights, Inc.