Davidson County DEEDWARR
Recvd: 12/30/02 16:10 4pgs
Fees:23.00 Taxes:10730.00

20021230-0162192

SPECIAL WARRANTY DEED

TO:	Ernest C. Kuhlo and wife, Patricia O. Kuhlo	This instrument was prepared by: C. Mark Carver, Esq. Sherrard & Roe, PLC 424 Church Street, Suite 2000 Nashville, TN 37219
FROM:	RMR Investment Company, LLC	

Address New Owner(s) as Follows:	Send Tax Bills To:	Map/Parcel Numbers
Ernest C. Kuhlo and wife, Patricia O. Kuhlo 418 Forrest Park Circle Franklin, TN 37064	Same	Map 107-13, Parcel 157 Map 106-16, Parcel 81

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $2,900,000.00.

Affiant

Sworn to and subscribed before me, this 27th day of December, 2002.

Notary Public

My Commission Expires: 3-25-06

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named Buyer, and other good and valuable consideration, the receipt of which is hereby acknowledged, **RMR Investment Company, LLC** (hereinafter called the "Seller"), has bargained and sold, and by these presents does transfer and convey unto **Ernest C. Kuhlo and wife, Patricia O. Kuhlo** (hereinafter collectively called the "Buyer"), and Buyer's successors and assigns all of Seller's interest in certain land in Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon (the "Property").

The above-referenced Property is conveyed subject to the matters set forth on Exhibit B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said Property, together with all rights and appurtenances thereunto belonging or in any wise appertaining to Buyer, its successors and assigns, forever in fee simple.

Seller further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said Property to Buyer, and Buyer's successors and assigns, against the lawful claims of all persons claiming through and under Seller (other than claims arising

out of the matters set forth above), but not further or otherwise. 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.

IN WITNESS WHEREOF, Seller has caused this Special Warranty Deed to be executed effective as of the 30th day of December, 2002.

SELLER: **RMR Investment Company, LLC, a Tennessee limited liability company**

By: Robert M. Rogers

Title: Chief Manager

STATE OF TENNESSEE)
COUNTY OF SHELBY)

Before ~~me~~, a Notary Public in and for the County and State aforesaid, personally appeared Robert M Rogers, 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 RMR Investment Company, LLC the within named bargainor, a limited liability company, and that he as such Chief Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal, at office in Memphis, Tennessee, this 19 day of December, 2002.

Boyd L. Rhodes

Notary Public

My Commission Expires:

BOYD L. RHODES, JR. NOTARY PUBLIC AT LARGE SHELBY COUNTY, TENNESSEE My Commission Expires AUG. 17, 2005

EXHIBIT A

PROPERTY DESCRIPTION

Land in the First Civil District, Thirteenth Councilmanic District, Davidson County, Tennessee, being Lot No. 2 and Lot 3 of the Resubdivision of Lot 2, Gower Center, as of record as Instrument No. 20000929-0096422, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

BEING a portion of the same property conveyed to RMR Investment Company, LLC, a Tennessee limited liability company, by Deed of Record in Book 9930, page 89, Register's Office for Davidson County, Tennessee.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Tax for the year 2003, a lien, which are not yet due and payable. Tax Parcel No. 106-16/81 and 107-13/157.

2. All matters as shown on Plat of record in Instrument No. 20000929-0096422, Register's Office for Davidson County, Tennessee.

3. Restrictive Covenants of record in Book 5803, page 915, and Book 6706, page 553.

4. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record in Book 4110, page 425 and Book 4131, page 845, said Register's Office.

5. Sanitary Sewer Easement of record in Book 4300, page 140, said Register's Office.

6. Declaration of Ingress and Egress and Parking Easements of record in Book 6706, page 559, said Register's Office.

7. Declaration of Easements of record in Instrument No. 20010122-0006575, said Register's Office.

8. Ingress and Egress Easement of record in Book 4660, page 8, amended in Book 5154, page 131, said Register's Office.

9. Easement for ingress and egress and for a sign of record in Book 4196, page 561, said Register's Office.

10. Memorandum of Lease between Gower Center, Ltd., and Walgreen Co., dated February 28, 1986, recorded in Book 6806, page 527, said Register's Office.

11. Terms and conditions as contained in the Memorandum of Lease by and between RMR Investment Company, LLC, a Tennessee limited liability company, and Jack in the Box Eastern Division, L.P. a Texas limited partnership, dated January 22, 2001, recorded as Instrument No. 20010122-0006577, said Register's Office.

12. Deed of Conveyance to Metro for water and/or sewer distribution system of record in Book 7154, page 377 and Book 7154, page 368.

13. Rights of tenants as parties in possession under leases.