PICK-UP

This Instrument Prepared By:
Kenneth P. Ezell, Jr., Esq.
Baker, Donelson, Bearman & Caldwell, P.C.
Suite 1000, 211 Commerce Street
Nashville, Tennessee 37201

Davidson County DEEDWARR
Recvd: 12/20/02 16:13 5pgs
Fees:28.00 Taxes:3555.70
[redacted]
20021220-0157802

ADDRESS NEW OWNER
Kurt L. Wallach and Marilyn G. Wallach, Trustees
1717 20th Street – Suite 105
Vero Beach, Florida 32960

SEND TAX BILLS TO:
Same

Davidson County DEEDWARR
Recvd: 01/06/03 13:15 5pgs
Fees:27.00 Taxes:0.00
20030106-0001876

MAP PARCEL
93-11-C/2
93-11-C/4
93-11-C/28
93-11-C36
93-11-C38
93-11-C39
93-11-C40

RE-RECORD

STATE OF Tennessee
COUNTY OF Davidson

The actual consideration or value, whichever is greater, for this transfer is $961,000.00.

Affiant

Subscribed and sworn to before me this the 20th day of December, 2002.

Notary Public

MARILYN HYDE
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires: 11/27/04

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named GRANTEE, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged **Rutledge House, G.P.**, a Tennessee general partnership, hereinafter called "GRANTOR," has bargained and sold, and by these presents does transfer and convey unto **Kurt L. Wallach and Marilyn G. Wallach, as Trustees of the Amendment and Restatement of the Kurt L. Wallach Living Trust dated December 3, 1996 and Marilyn G. Wallach and Kurt L. Wallach, as Trustees of the Amendment and Restatement of the Marilyn L. Wallach Living Trust dated December 3, 1996, as tenants in common, with full power to buy, sell, lease, mortgage and encumber without the joinder of any beneficiary**, hereinafter called "GRANTEE," its successors and assigns, certain real property in Davidson County, State of Tennessee, described as follows (the "Property"):

N MBH 408962 v1
823478-0001 12/18/2002
This instrument being re-recorded to correct scrivenor's error.

54105

(SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE AS FULLY AS THOUGH COPIED HEREIN)

The Property is transferred subject to the limitations, restrictions, and encumbrances set forth on **Exhibit "B**."

This is improved property known as 117 Lea Avenue (Unit 2); 121 Lea Avenue (Unit 4); 644 Second Avenue South (Unit 28); 4 Middleton Street (Unit 36); 8 Middleton Street (Unit 38); 10 Middleton Street (Unit 39); and 12 Middleton Street (Unit 40), Nashville, Tennessee 37210.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns, forever, and GRANTOR does covenant with said GRANTEE that it is lawfully seized and possessed of the Property in fee simple, has a good right to convey it, and the same is free from all encumbrances made or suffered by Grantor, except as listed on **Exhibit B** and representations and limitations as expressly provided for hereby; and GRANTOR does further covenant and bind itself, its successors, assigns and representative, to warrant and forever defend the title to the Property to the said GRANTEE, its successors and assigns, against the lawful claims of all persons claiming by, through or under the GRANTOR, 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.

WITNESS its hand this, the 20th day of December, 2002.

GRANTOR:

Rutledge House, G.P., a Tennessee general partnership

By: Equity Capital Corporation, a Tennessee corporation, General Partner

By: _____
C. Jason Ritzen
Vice President

STATE OF TENNESSEE

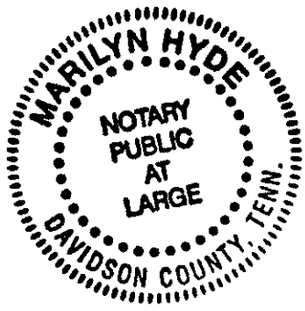
COUNTY OF DAVIDSON

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared **C. Jason Ritzen**, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledge himself to be the Vice President of Equity Capital Corporation, which is the general partner of Rutledge House, G.P., the within named bargainor, a Tennessee general partnership, and that he as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

Witness my hand and seal, at office, in Nashville, Tennessee, this the 20th day of December, 2002.

Marilyn Hyde
Notary Public

My Commission Expires:
11/27/04



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EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit Nos. 2, 4, 28, 36, 38, 39 and 40, on the Plan of Rutledge Hill, as shown on plat of record in Plat Book 6200, page 318, as revised in Book 11700, page 26, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Being part of the same property conveyed to Rutledge House, G.P., a Tennessee general partnership, by deed of record in Instrument No. 20020522-0062631, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"

THE FOREGOING DESCRIBED PROPERTY IS CONVEYED SUBJECT TO THE FOLLOWING:

1. Metropolitan Government Davidson County Taxes for the year of 2003 and subsequent years which have been assumed by Grantee.

2. All matters as shown on Plat recorded in Book 6200, page 318 and Book 11700, page 26, Register's Office for Davidson County, Tennessee.

3. Easement(s) to Metropolitan Government of Nashville and Davidson County as set forth in instrument recorded in Book 6807, page 851, Register's Office for Davidson County, Tennessee.

4. Easement(s) retained by the Metropolitan Government of Nashville and Davidson County, Tennessee in Bill No. 85-851, as recorded in Book 6616, page 614, Register's Office for Davidson County, Tennessee;

5. Easements retained by the Metropolitan Government of Nashville and Davidson County, Tennessee, in Bill No. 097-754, as recorded in Book 10512, page 477, Register's Office for Davidson County, Tennessee.

6. Easements retained by the Metropolitan Government of Nashville and Davidson County, Tennessee, in Bill No. 097-755, as recorded in Book 10512, page 464, Register's Office for Davidson County, Tennessee.

7. Master Deed Establishing Rutledge House Condominiums of record in Book 11687, page 739, Register's Office for Davidson County, Tennessee.

8. Rights of tenants in possession, as tenants only, under recorded leases.