This Instrument Prepared By:
Laurence M. Papel, Esq.
Baker, Donelson, Bearman & Caldwell, P.C.
Suite 1000, 211 Commerce Street
Nashville, Tennessee 37201

Davidson County DEEDWARR
Recvd: 04/11/03 13:12 4pgs
Fees:23.00 Taxes:3885.00
20030411-0048629

ADDRESS NEW OWNER
BudMark Investments, LLC
4400 Post Oak Parkway
Suite 2800
Houston, Texas 77027

SEND TAX BILLS TO:
Same

MAP PARCEL
Map ~~93-6/111~~
93-6-3/111

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $1,050,000.00.

T S Adams Jr
Affiant K. S. Adams, JR. in my capacity as Chief Manager of Bud Mark Investments, LLC.

Subscribed and sworn to before me this the 11th of April, 2003.

Veronica Sheives
Notary Public

My Commission Expires: 11.12.2006

VERONICA SHEIVES
Notary Public, State of Texas
Commission Expires 11-12-2006

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, **Jo Ann Criswell Harper,** hereinafter called "GRANTOR," has bargained and sold, and by these presents does transfer and convey unto **BudMark Investments, LLC, a Tennessee limited liability company**, hereinafter called "GRANTEE," its successors and assigns, certain real property in Davidson County, State of Tennessee, described as follows (the "Property"):

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

THE ABOVE DESCRIBED PROPERTY IS NOT THE USUAL PLACE OF RESIDENCE OF THE GRANTOR HEREIN.

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

This is improved property known as 411 Broadway, Nashville, Tennessee.

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 she 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 herself, her heirs, 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 11th day of April, 2003.

GRANTOR:

Jo Ann Criswell Harper

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 **Jo Ann Criswell Harper**, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledge that she executed the within named instrument for the purposes therein contained.

Witness my hand and seal, at office in Nashville, Tennessee, this the 11th day of April, 2003.

Notary Public

My Commission Expires:
11/26/05

N MBH 421031 v1
823516-0001 04/03/2003

EXHIBIT "A"

Being a parcel of land in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the southerly side of Broadway, formerly Broad Street, west of Fourth Avenue South, formerly Cherry Street and being part of Lot No. 31 on the First Plan of Davidson Academy Lots, not of record, and being more particularly described as follows:

Beginning at a P.K. nail set at building joint on the southerly right-of-way line of Broadway, said nail being the northwest corner of Jack W. Lawrence, as of record in Book 3876, Page 331, R.O.D.C. and being located 107.03 feet west of the southwest corner of the intersection of Broadway and Fourth Avenue South;

THENCE, leaving said southerly right-of-way line of Broadway with the building joint between Jack W. Lawrence and the herein described S 27° 15' 04" E, 180.00 feet to an iron pin set at the corner of a loading dock in the northerly margin of Alley No. 69;

THENCE, with said northerly margin of Alley No. 69, S 62° 19' 24" W, 60.15 feet to the intersection of Alley 68 and Alley 69;

THENCE, leaving said northerly margin of Alley 69 and following the easterly margin of Alley 68, N 27° 20' 40" W, 180.00 feet to the southerly right-of-way of Broadway;

THENCE, with said southerly right-of-way of Broadway, N 62° 19' 28" E, 60.42 feet to the point of beginning,

Containing 10,851 square feet or 0.25 acres, more or less.

Being the same property conveyed to Jo Ann Criswell Harper by deed of record in Book 5025, page 531, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"

THE FOREGOING DESCRIBED PROPERTY IS CONVEYED SUBJECT TO THE FOLLOWING:

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

2. Restrictions as contained in Book 7423, page 374, Book 8027, page 865 and Book 9208, page 613, Register's Office for Davidson County, Tennessee.

3. Terms and Provisions of Metro Ordinance No. 097-755 of record in Book 10512, page 464, Register's Office for Davidson County, Tennessee.

4. Terms and Provisions of Metro Ordinance No. BL2002-1033 of record in Instrument No. 20020626-0076795.