3 1 B
LT

THIS INSTRUMENT PREPARED BY AND WHEN RECORDED RETURN TO:	PROPERTY OWNER:	PROPERTY ADDRESS:	MAIL TAX BILLS TO:	TAX PARCEL NO.:
Jason A. Strain, Attorney Baker, Donelson, Bearman, Caldwell & Berkowitz 165 Madison Avenue, Suite 2000 Memphis, Tennessee 38103	First Tennessee Bank, National Association, Attn: Mr. Thomas F. Baker, IV, Corporate Real Estate, 11th Floor, 165 Madison Avenue, Memphis, Tennessee 38103	2306 21st Avenue South, Nashville, Davidson County, Tennessee	First Tennessee Bank, National Association, Attn: Mr. Thomas F. Baker, IV, Corporate Real Estate, 11th Floor, 165 Madison Avenue, Memphis, Tennessee 38103	104-16/107

Davidson County DEEDWARR
Recvd: 12/03/03 16:02 6pgs
Fees:33.00 Taxes:5550.00

20031203-0174185

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this 2nd day of December, 2003, by and between COMMODORE LLC, a Tennessee limited liability company whose address is 5210 Maryland Way, Suite 300, Brentwood, Tennessee 37027 (hereinafter "Grantor"), and First Tennessee Bank National Association, a national banking association whose address is 165 Madison Avenue, Memphis, Tennessee 38103 (hereinafter "Grantee");

WITNESSETH:

THAT for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, Grantor has bargained and sold and does hereby bargain, sell, convey, and confirm unto Grantee the following described real estate, situated and being in City of Nashville, County of Davidson, State of Tennessee, to-wit:

All of that certain real estate described in **Exhibit "A"** attached hereto and incorporated herein by this reference.

This being the same real estate conveyed to Grantor by Deed of record in Book 9702, Page 294 in the Register's Office of Davidson County, Tennessee.

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

AND, subject always to those liens, easements, encumbrances and exceptions listed in Exhibit "B," attached hereto and incorporated herein by reference, Grantor does hereby covenant with Grantee that title to aforesaid real estate Grantor will warrant and forever defend against the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise.

As used herein, pronouns shall be construed according to their gender and number according to the context thereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by and through its duly authorized officer on this the day and year first above written.

COMMODORE LLC, a Tennessee limited liability company

By: _____

Title: Edwin B. Raskin, Chief Manager

ACKNOWLEDGMENT

STATE OF TENNESSEE
COUNTY OF ~~SHELBY~~ WILLIAMSON

Before me, , a Notary Public in and for the State and County aforesaid, personally appeared Edwin B. Raskin, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself (~~or herself~~) to be the Chief Manager of Commodore LLC, the within-named bargainor, a ~~corporation~~ limited liability company, and that he as such , being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the ~~corporation~~ limited liability company by himself as such .

WITNESS my hand and seal at office, on this the 2nd day of December, 2003.

Jeri C. Moore
Notary Public

JERI MOORE NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

My Commission Expires:
7-25-05

AFFIDAVIT OF VALUE

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $1,500,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Robert C. Tiddon
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME this 2nd day of December, 2003.

Bette R. Dryer
Notary Public

BETTE R. DRYER NOTARY PUBLIC AT LARGE SHELBY CO., TN

My Commission Expires: December 20, 2005

(For Recording Data Only)

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2100000-B07665 12/02/03

EXHIBIT "A"
TO
SPECIAL WARRANTY DEED
FROM
COMMODORE LLC
TO
FIRST TENNESSEE BANK, NATIONAL ASSOCIATION

Real Estate Description

LOCATED IN DAVIDSON COUNTY, TENNESSEE:

PROPERTY LOCATED IN THE 18TH COUNCILMANIC DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE. BEING LOT ONE ON THE RESUBDIVISION OF LOT 68 AND A PORTION OF LOT 67 ON THE REVISED PLAN OF GEORGE W. BLAIR'S SUBDIVISION OF BELMONT HEIGHTS AS OF RECORD IN PLAT BOOK 3500, PAGE 52, R.O.D.C., TN. AND BEING MORE PARTICULARLY DESCRIBED ACCORDINGLY TO AN AS-BUILT SURVEY PREPARED BY WAMBLE AND ASSOCIATES DATED MARCH 27, 1995 AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN RIGHT-OF-WAY OF LINDEN AVENUE, SAID POINT BEING AN IRON ROD (OLD) AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PROPERTY, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT TWO ON THE ABOVE REFERENCED SUBDIVISION PLAT; THENCE, FOLLOWING SAID NORTHERLY RIGHT-OF-WAY NORTH 86 DEGREES 47 MINUTES 28 SECONDS WEST 205.24 FEET TO A CONCRETE MONUMENT (OLD); THENCE, WITH A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 108 DEGREES 18 MINUTES 43 SECONDS, A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 47.26 FEET AND A CHORD BEARING AND LENGTH OF NORTH 32 DEGREES 38 MINUTES 02 SECONDS WEST 40.53 FEET TO AN IRON ROD (NEW) ON THE EASTERLY RIGHT-OF-WAY OF 21ST AVENUE SOUTH; THENCE, FOLLOWING SAID EASTERLY RIGHT-OF-WAYNORTH 21 DEGREES 31 MINUTES 24 SECONDS EAST 142.54 FEET TO AN IRON ROD (OLD), SAID IRON ROD BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PROPERTY AND THE SOUTHWEST CORNER OF PROPERTY CONVEYED TO ASHWOOD ASSOCIATES AS OF RECORD IN DEED BOOK 5386, PAGE 835, R.O.D.C., TN; THENCE, FOLLOWING THE COMMON LINE BETWEEN THE HEREIN DESCRIBED PROPERTY AND SAID ASHWOOD ASSOCIATES PROPERTY SOUTH 84 DEGREES 59 MINUTES 00 SECONDS EAST 185.85 FEET TO AN IRON ROD (OLD), SAID ROD BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PROPERTY AND THE NORTHWEST CORNER OF LOT TWO ON THE AFOREMENTIONED GEORGE BLAIR'S RESUBDIVISION; THENCE, FOLLOWING THE COMMON LINE BETWEEN THE HEREIN DESCRIBED PROPERTY AND SAID LOT TWO SOUTH 03 DEGREES 45 MINUTES 57 SECONDS WEST 162.32 FEET TO THE POINT OF BEGINNING.

~~CONTAINING 34,973 SQUARE FEET OR 0.80 ACRES.~~

BEING THE SAME PROPERTY CONVEYED TO EDWIN B. RASKIN, TRUSTEE BY DEED FROM MILLER KIMBROUGH AND WIFE, MARY C. KIMBROUGH AS OF RECORD IN DEED BOOK 4839, PAGE 872, R.O.D.C., TN.

LAND in Davidson County, Tennessee, being Lot No. 1, on the Resubdivision of Lot 68 and a portion of Lot 67, on the Revised Plan of George W. Blair's subdivision of Belmont Heights, as of record in Book 3500, page 52, in the Register's Office of Davidson County, Tennessee, being more particularly described as follows:

BEGINNING at a point in the northerly margin of Linden Avenue, said point being the common corner of Lots Nos. 1 and 2; thence northwardly with the line between Lots Nos. 1 and 2, 162.52 feet to a point; thence North 84°59; West 185.89 feet to a point in the easterly margin of 21st Avenue South; thence southwardly with said margin of 21st Avenue South, 142.59 feet to a point which is the beginning of a curve to the left having a radius of 25 feet; thence southeastwardly around said curve, 46.77 feet to a point in the northerly margin of Linden Avenue; thence eastwardly along said margin of Linden Avenue, 205.07 feet to the point of beginning.

BEING the same property conveyed to Edwin B. Raskin, Trustee with Full Power, by Deed from Miller Kimbrough and wife, Mary C. Kimbrough, of Record in Book 4839, page 872, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"
TO
SPECIAL WARRANTY DEED
FROM
COMMODORE LLC
TO
FIRST TENNESSEE BANK, NATIONAL ASSOCIATION

Encumbrances

I. Memoranda of Lease recorded at Book 10983, page 811, and at Instrument Number 20030812-0114739, both in the Office of the Register of Davidson County, Tennessee, by and between Web Service Company, Inc. and Commodore Apartments ("Lessor").

II. Unrecorded leases by and between Lessor and individual residential tenants in possession, with rights as "Tenants Only."

III. All matters shown on Plat recorded in Book 3500, page 52, said Register's Office.

(For Recording Data Only)