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Davidson County DEEDWARR
Recvd: 02/20/04 08:42 5pgs
Fees:28.00 Taxes:16021.00
20040220-0019553

LTIC File No. TW10981

THIS INSTRUMENT PREPARED BY:
Lawyers Title Insurance Corporation
424 Church Street, Suite 950, Nashville, Tennessee 37219

ADDRESS NEW OWNER(S):	SEND TAX BILLS TO:	MAP-PARCEL NUMBER:
Summit Hotel Properties, LLC 2701 S. Minnesota Avenue, Suite 6 Sioux Falls, South Dakota 57105 Attn: Ms. Jennifer Larsen Work Phone: 605-361-9566	NEW OWNER	70-16-28

WARRANTY DEED

ON THIS THE 12th DAY OF FEBRUARY, 2004, FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEE, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WB Pineapple RP, LLC, a Delaware limited liability company, HEREINAFTER CALLED THE GRANTOR, HAS BARGAINED AND SOLD, AND BY THESE PRESENTS DOES TRANSFER AND CONVEY UNTO, Summit Hotel Properties, LLC, a South Dakota limited liability company, HEREINAFTER CALLED THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS TO WIT:

Land in Davidson County, Tennessee, being Lot No. 9D on the Plan of Resubdivision of Metro Center Lot 9C, as shown on plat of record in Plat Book 9700, page 787, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Being the same property conveyed to WB Pineapple RP, LLC by Deed of Record in Instrument No. 200205230062714, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to the following matters:

PLEASE SEE ATTACHED EXHIBIT "B".

TO HAVE AND TO HOLD the aforesaid real estate together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining to the said GRANTEE, its successors and assigns in fee simple forever. The said GRANTOR does hereby covenant with the said GRANTEE that it is lawfully seized in fee of the aforesaid real estate; that it has a good right to sell and convey the same; that the same is unencumbered except for matters of record, and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons. Whenever used, the singular number shall include the plural, the plural singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by its representative thereunto duly authorized as of the day and year first above written.

WB PINEAPPLE RP, LLC, a Delaware limited liability company

By: _____

Name: Robert A. Alter

Title: Vice President

{Individual Acknowledgment}

STATE OF
COUNTY OF

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named ____ the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that *he/she/they* executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office at _____ on this the ____ day of _____, _____.

Commission Expires:

Notary Public

{Corporate Acknowledgment}

STATE OF CALIFORNIA
COUNTY OF ORANGE

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and upon oath acknowledged to be the Vice President of LBA Pineapple RP LLC, a corporation, and that as such , being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the said corporation.

Witness my hand and official seal at office at San Clemente, CA on this date: Feb. 10, 2004

Commission Expires: 03/23/2007

Notary Public

JORDAN M. NORBURN
COMM. #1406731
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
MY COMM. EXPIRES MARCH. 23, 2007

{Limited Partnership Acknowledgment}

STATE OF
COUNTY OF

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and upon oath acknowledged themselves to be the _____ of _____, a limited partnership, the bargainor, and that they as such officers of the said general partner, each being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited partnership by the corporation, as its sole general partner, by themselves and such officers.

Witness my hand and official seal at office at _____ on this the _____ day of _____, _____.

Commission Expires:

Notary Public

{Power of Attorney Acknowledgment}

STATE OF

EXHIBIT "B"

THE FOREGOING DESCRIBED PROPERTY IS CONVEYED SUBJECT TO THE FOLLOWING:

1. Metropolitan Government and Davidson County taxes for the year 2004 and subsequent years, which have been assumed by Grantee.

2. Terms and provisions of Lease from WB Pineapple RP, LLC to WB Pineapple RP, Inc., dated 05/22/2002 and recorded in Instrument No. 200210210128653.

3. Restrictive Covenants in favor of Mat-Nel Company of record in Book 4784, page 659, amended in Book 5792, page 787; Book 7012, page 61 and made applicable in Book 7012, page 62.

4. Restrictive Covenants in favor of Metro Center Properties of record in Book 5242, page 389, amended in Book 7012, page 61. Article VI therein no longer applicable, it was terminated by instrument of record in Book 9932, page 28.

5. Restrictive Covenants in favor of Arby's Inc., of record in Book 9382, page 56.

6. Restrictive Covenants in favor of Taco Bell Corporation of record in Book 9240, page 176.

7. Terms, conditions, easements, rights and liens as set forth in the Declaration of Agreement, Charges, Assessments and Liens for Metrocenter Business Park of record in Book 7487, page 952, as amended in Book 10602, page 499.

8. All matters shown on Plat recorded in Book 9700, page 787.

9. Declaration of Special Covenants and Restrictions of record in Book 11245, page 181.

10. "Those matters as shown on survey dated September 28, 2000, last revised December 5, 2003, prepared by Wendell H. Talley under the supervision of Barge Waggoner Sumner & Cannon, Inc., Job No. 15865-14, which are as follows:
    a) chain link fence along the northeasterly and easterly side vary from the survey lines.
    b) encroachment of landscape area into the westerly adjoiner at the Southwest corner and on the west line just north of access point.

11. Other title matters of record, matters of title which are apparent or ascertainable by an inspection or survey of the property.

12. All matters affecting the condition of title to the property suffered or created by or with the consent of Grantee or otherwise known to Grantee, and any and all encumbrances.

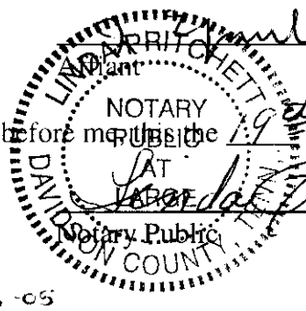
STATE OF TENNESSEE

COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $4,330,000.00.

Affiant

Subscribed and sworn to before me this the 19 day of February 2004.



Notary Public

My Commission Expires: 11-26-05

My Commission Expires Nov. 26, 2005