Davidson County DEEDWARR
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Fees:23.00 Taxes:5309.50
20040423-0046610

SPECIAL WARRANTY DEED

TO: 41 West 28th Street Corporation

FROM: Mid-Tenn Retail, Ltd.

This instrument was prepared by:
C. Mark Carver, Esq.
Sherrard & Roe, PLC
424 Church Street, Suite 2000
Nashville, TN 37219

Address New Owner(s) as Follows:	Send Tax Bills To:	Map/Parcel Numbers
41 West 28th Street Corporation c/o Grubb & Ellis Attn: James Lebberes 55 East 59th Street New York, NY 10022	Same	Map 147-11, Parcel 34.00

PICK-UP

STATE OF Tennessee)
COUNTY OF Davidson)

The actual consideration for this transfer is $1,435,000.00

Affiant

Sworn to and subscribed before me, this 23rd day of April, 2004.

My Commission Expires: 1/27/04

Notary Public

MARILYN HYDE NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

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 considerations, the receipt of which is hereby acknowledged, **Mid-Tenn Retail, Ltd., a Tennessee limited partnership** (hereinafter called the "Seller"), has bargained and sold, and by these presents does transfer and convey unto **41 West 28th Street Corporation, a New York corporation** (hereinafter called the "Buyer"), and Buyer's successors and assigns, all of Seller's interest in a certain tract of land in Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon.

This is improved property located at 4536 Nolensville Pike, Nashville, Tennessee 37211.

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 real 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 real estate 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 23rd day of April, 2004.

SELLER: MID-TENN RETAIL, LTD.,
a Tennessee limited partnership

By: General Capital Corporation, its general partner, a Tennessee corporation

By: _____
Barney D. Byrd, President

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, Lori McPherson, a Notary Public in and for the County and State aforesaid, personally appeared Barney D. Byrd with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be President of General Capital Corporation, a Tennessee corporation, the general partner of the within named bargainor, Mid-Tenn Retail, Ltd., a Tennessee limited partnership, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited partnership by himself as President of its general partner.

Witness my hand and seal at office in Nashville, Tennessee, this 21st day of April, 2004.

Lori McPherson
Notary Public

My Commission Expires: 3-25-06

LORI McPHERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Lori McPherson
My Commission Expires
March 25, 2006
STATE OF TENNESSEE

EXHIBIT A

PROPERTY DESCRIPTION

Land in Davidson County, Tennessee, being Lot No. 2, Section 2, Wayne Oldhams Nolensville Road Development of record in Book 5210, page 361, Register's Office for said county, described as follows:

Beginning at an iron pin which is located in the northerly right of way margin of Nolensville Road, said pin also being located 180 feet westerly of the westerly right of way return margin of Nolensville Road and Taylor Road. Thence proceeding with said Nolensville Road right of way margin of N 52° 41 min. 30 sec. W a distance of 179.83 feet to a concrete monument, thence with said margin N 37° 18 min. 30 sec. E a distance of 5 feet to an iron pin, thence with said right of way margin N 52° 41 min. 30 sec. W a distance of 174.72 feet to an iron pin, thence leaving said margin and along a line N 62° 06 min. 11 sec. E a distance of 218.44 feet to an iron pin, thence along a line S 52° 05 min. 55 sec. E a distance of 262.96 feet to an iron pin, thence along a line S 37° 18 min. 30 sec. W a distance of 200.58 feet to the point of beginning and containing 1.42 acres more or less.

Being the same property conveyed to Mid-Tenn Retail, Ltd., a Tennessee limited partnership by General Warranty Deed from 1983 Williamsburg II, Partnership, a Tennessee general partnership of record in Book 6721, page 280, Register's Office for Davidson County, Tennessee.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes for the year 2004 and subsequent years. Tax Parcel Map 147-11, Parcel 34.00

2. All matters as shown on the plat of record in Plat Book 5210, page 361, Register's Office for Davidson County, Tennessee.

3. Pipeline Connection Easement Agreement of record in Book 5802, page 625 in the Register's Office, Davidson County, Tennessee.