PICK-UP

Box 318
11923 LT

Davidson County DEEDWARR
Recvd: 05/24/04 15:57 4pgs
Fees:23.00 Taxes:3316.78

20040524-0060888

Instrument Prepared by:
Richard Wilensky, Esq.
12240 Inwood Road, Suite 500
Dallas, Texas 75244

Map 43-9
parcel 15

DEED

THIS INDENTURE made as of this 4th day of November, 2003, between **USRP (S&C), LLC** ("First Party") for and in consideration of the sum of Ten Dollars ($10.00) cash and other good and valuable consideration to it in hand paid by **USRP Holding Corp.**, a Texas corporation ("Second Party") the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Second Party the land described in Exhibit A attached hereto and made a part hereof for all purposes, together with all improvements thereon ("Property"), subject to matters of record, if any, to the extent the same are valid, subsisting and affect the Property ("Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Second Party, its successors and assigns, forever, subject to the Permitted Encumbrances, and First Party does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said Property, subject to the Permitted Encumbrances unto the said Second Party, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED as of the 4th day of November, 2003.

USRP (S&C), LLC

By: Valerie S Siverling
Valerie S. Siverling, Manager



Store No. 13396
Location: Davidson County, Tennessee

STATE OF TEXAS }
}
COUNTY OF DALLAS }

Personally appeared before me, Valerie S. Siverling, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained, and who further acknowledged that she is the Manager of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand and official seal, this 4th day of November, 2003.

ADRIENNE R. MACKAY
MY COMMISSION EXPIRES
August 14, 2006

Adrienne R. Mackay
Notary Public, State of Texas

I hereby swear or affirm that the actual consideration or true value of this transfer is ($ 896,426.00 ).

Valerie S. Siverling
Affiant

Subscribed and sworn to before me this 4th day of November, 2003.

ADRIENNE R. MACKAY
MY COMMISSION EXPIRES
August 14, 2006

Adrienne R. Mackay
Notary Public

Address of New Owner and
**Responsible Taxpayer Mailing Address:**
**USRP Holding Corp.**
12240 Inwood Road, Suite 300
Dallas, Texas 75244
Attn: Asset Management

# EXHIBIT A

13396

**Legal Description**

The land in Davidson County, Tennessee, being more particularly described as follows:

## Tract I:

A tract of land in the Second Civil District of Metropolitan Nashville, Davidson County, Tennessee (formerly the 11th Civil District of Davidson County, Tennessee), and being more particularly described as follows:

Beginning at a PK nail driven in concrete on the westerly margin of Gallatin Pike, U.S. 31-E, said PK nail being South 01 degrees 22 minutes 04 seconds West, 209.45 feet south of the southerly end of the return curve of Williams Avenue as measured along the westerly margin of Gallatin Pike; thence,

1. With the westerly margin of Gallatin Pike, South 01 degrees 22 minutes 04 seconds West, 50.0 feet to a PK nail at the northeast corner of the Bonnie Strickland and Evelyn G. Wood property, as evidenced in Deed Book 5650, Page 389, Register's Office of Davidson County, Tennessee (being Parcel 16 of this survey); thence,

2. With the north line of Strickland and Wood property, (Parcel 16), North 88 degrees 38 minutes 25 seconds West, 175.06 feet to an iron pin on the easterly margin of a 25-foot alley; thence,

3. With the easterly margin of said 25-foot alley, North 01 degrees 26 minutes 00 seconds East, 50.0 feet to an iron pin, the southwesterly corner of Harold E. Schmidt property, as evidenced in Deed Book 5033, Page 337, Register's Office of Davidson County, Tennessee; thence,

4. With the southerly line of Schmidt, South 88 degrees 38 minutes 25 seconds East, 175.00 feet to the point of beginning and containing 8,751 square feet or 0.201 of an acre.

## Tract II:

A tract of land in the Second Civil District of Metropolitan Nashville-Davidson County, Tennessee (formerly the 11th Civil District of Davidson County, Tennessee), being part of Lot No. 1 on the map of the Division of the Gee Lands, as of record in Book 332, Page 74, Register's Office of Davidson County, Tennessee, and also being Lots 8 and 9 on the unrecorded map of the subdivision of the east part of Lot No. 1 of the Gee Lands.

Beginning at a PK nail on the westerly margin of Gallatin Road (U.S. 31-E), at the southeasterly corner of Parcel 15 of this survey; said point being South 01 degrees 22

minutes 04 seconds West, 259.45 feet from the southerly end of the return curve of Gallatin Road and Williams Avenue as measured along the westerly margin of Gallatin Road; thence,

1. With the westerly margin of Gallatin Road, South 01 degrees 22 minutes 04 seconds West, 9.5 feet to a PK nail set at the beginning of a curve; thence,

2. With said curve to the right (radius 2835.00 feet), southerly a distance of 94.77 feet to an existing iron pin at the northeasterly corner of the Pebble Hill Associates property, as evidenced in Deed Book 7270, Page 172, Register's Office of Davidson County, Tennessee; thence,

3. With the northerly line of the Pebble Hill Associates property, North 80 degrees 33 minutes 00 seconds West, 181.23 feet to a PK nail set on the easterly margin of a 25-foot alley; thence,

4. With the easterly margin of said 25-foot alley, North 06 degrees 23 minutes 20 seconds East, 68.00 feet to a PK nail set; thence,

5. North 01 degrees 26 minutes 00 seconds East, 11.0 feet to an iron pin at the southwesterly corner of Parcel 15 of this survey; thence,

6. With the southerly line of Parcel 15, South 88 degrees 38 minutes 25 seconds East, 175.06 feet to the point of beginning and containing 16,264 square feet or 0.373 of an acre.

LESS AND EXCEPT any portions of the such property conveyed or taken for rights of way for public streets or roads.

Being the same property conveyed to USRP (S&C), LLC by deed of record in Instrument No. 20030617008346 4, RODC, TN.