Davidson County DEEDWARR
Recvd: 11/08/04 11:18 5pgs
Fees:28.00 Taxes:42146.97

20041108-0134178

First American Title Insurance Co.
6077 Primacy Parkway, Suite 121-B
Memphis, TN. 38119 NCS-163577TN4F CKW

Address of New Owner:	Send Tax Bills to:	Map-Parcel No.
Berkeley Ridge Nashville, LLC c/o Paul Savad, Esq. 55 Old Turnpike Road, Suite 209 Nanuet, NY 10434	Same	Map: 106 Parcel: 125

PREPARED BY: WALLER LANSDEN DORTCH & DAVIS, PLLC, James R. Cheshire, III, Esq., 511 Union Street, Suite 2700, Nashville, TN 37219-1760

STATE OF NEW YORK)
COUNTY OF NEW YORK)

The actual consideration or value, whichever is greater, for this transfer is $11,391,072.00

Affiant Steven Green, President of Grantor

Subscribed and sworn to before me, this the 20th day of October, 2004.

Notary Public

JOHN M. MURRAY
Notary Public, State of New York
No. 4618009
Qualified in Westchester County
Commission Expires May 31, 2007

My Comm. Expires:_____

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named GRANTEE, and other good and valuable consideration, the receipt of which is hereby acknowledged, BERKELEY RIDGE REALTY CORP., a Delaware corporation, (erroneously referred to in the deed vesting title in it as "Berkley Ridge Realty Corp."), hereinafter called the GRANTOR, has bargained and sold, and by these presents does transfer and convey unto BERKELEY RIDGE NASHVILLE, LLC, a Delaware 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 on Exhibit A attached hereto and incorporated by reference herein.

This is improved property known as 308 Plus Park Boulevard, Nashville, Tennessee 37217.

TO HAVE AND TO HOLD the said real property together with all buildings, other improvements, appurtenances and hereditaments thereunto belonging or in any wise appertaining to GRANTEE, its successors and assigns forever.

GRANTOR further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said real

estate to **GRANTEE**, its successors and assigns, against the lawful claims of all persons claiming through and under **GRANTOR**, other than claims arising out of the matters set forth on **Exhibit B** attached hereto and incorporated herein by reference, but not further or otherwise.

IN WITNESS WHEREOF, GRANTOR has caused this Special Warranty Deed to be executed on the ___ day of October, 2004.

BERKELEY RIDGE REALTY CORP.,
a Delaware corporation

By:_____
STEVEN GREEN
Its: President

STATE OF NEW YORK)
COUNTY OF NEW YORK)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared **STEVEN GREEN**, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the President of Berkeley Ridge Realty Corp., the within named bargainor, a Delaware corporation, 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 such corporation, by himself as President.

Witness my hand and seal, at office in New York City, New York, this the 20th day of October, 2004.

John M. Murray
NOTARY PUBLIC

My Commission Expires:_____

JOHN M. MURRAY
Notary Public, State of New York
No. 4618009
Qualified in Westchester County
Commission Expires May 31, 2007

EXHIBIT A

Legal Description

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 9, ON THE PLAN OF PLUS PARK, SECTION 9, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 4460, PAGE 113, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 54 OF HILL-N-DALE ACRES AS RECORDED IN BOOK 2900, PAGE 33 IN THE RECORDERS OFFICE OF DAVIDSON COUNTY, TENNESSEE AND THE SOUTHWEST CORNER OF HOUSTON EZELL PROPERTY; THENCE SOUTH 05 DEGREES 28 MINUTES 06 SECONDS WEST, ALONG THE WESTERLY LINE OF LOTS 54 & 53, A DISTANCE OF 183.64 FEET, TO THE NORTHEAST CORNER OF LOT 48 IN SAID HILL-N-DALE ACRES; THENCE SOUTH 68 DEGREES 28 MINUTES 23 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID LOT 48, A DISTANCE OF 311.41 FEET, TO NORTHERLY RIGHT-OF-WAY OF BUNKERHILL DRIVE; THENCE SOUTH 36 DEGREES 35 MINUTES 43 SECONDS WEST, A DISTANCE OF 329.16 FEET, TO POINT ON NORTHERLY RIGHT-OF-WAY OF HAVENHILL DRIVE; THENCE SOUTH 37 DEGREES 21 MINUTES 52 SECONDS WEST, ALONG THE WESTERLY RIGHT-OF-WAY OF HAVENHILL DRIVE, A DISTANCE OF 53.75 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF HAVENHILL DRIVE; THENCE SOUTH 37 DEGREES 32 MINUTES 38 SECONDS WEST, A DISTANCE OF 305.91 FEET, TO A WESTERLY CORNER OF LOT 28 OF SAID HILL-N-DALE ACRES; THENCE SOUTH 04 DEGREES 08 MINUTES 15 SECONDS WEST, A DISTANCE OF 272.92 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF DEERVALE DRIVE; THENCE SOUTH 60 DEGREES 10 MINUTES 20 SECONDS EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY OF DEERVALE DRIVE, A DISTANCE OF 164.45 FEET, TO THE NORTHWEST CORNER OF LOT 26 OF SAID HILL-N-DALE ACRES; THENCE SOUTH 29 DEGREES 49 MINUTES 25 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID LOT 26, A DISTANCE OF 275.95 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 26; THENCE SOUTH 50 DEGREES 40 MINUTES 28 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 26, A DISTANCE OF 93.40 FEET TO A POINT; THENCE SOUTH 24 DEGREES 32 MINUTES 29 SECONDS WEST, ALONG LOT 100 OF HILL-N-DALE SECTION 2 RECORDED IN BOOK 4175 PAGE 5 IN THE RECORDERS OFFICE OF DAVIDSON COUNTY, TENNESSEE, A DISTANCE OF 311.57 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF GIANT OAK DRIVE; THENCE SOUTH 04 DEGREES 13 MINUTES 40 SECONDS WEST, A DISTANCE OF 73.70 FEET, TO A POINT ON THE WESTERLY LINE OF LOT 99 OF SAID HILL-N-DALE SECTION 2; THENCE NORTH 87 DEGREES 43 MINUTES 20 SECONDS WEST, A DISTANCE OF 196.50 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF PLUS PARK BOULEVARD; THENCE NORTH 01 DEGREES 18 MINUTES 44 SECONDS EAST, ALONG THE SAID RIGHT-OF-WAY, A DISTANCE OF 205.63 FEET TO A POINT; THENCE ALONG SAID RIGHT-OF-WAY, ALONG A CURVE WITH A RADIUS TO THE LEFT OF 340.34 FEET AND AN ARC LENGTH OF 231.86 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 18 DEGREES 12 MINUTES 16 SECONDS WEST WITH A LENGTH OF 227.40 FEET TO A POINT; THENCE NORTH 37 DEGREES 43 MINUTES 16 SECONDS WEST, ALONG SAID RIGHT-OF-WAY A DISTANCE OF 162.88 FEET TO A POINT; THENCE ALONG SAID RIGHT-OF-WAY, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 292.33 FEET AND AN ARC LENGTH OF 290.85 FEET SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 09 DEGREES 13 MINUTES 06 SECONDS WEST WITH A LENGTH OF 279.00 FEET TO A POINT; THENCE

NORTH 19 DEGREES 14 MINUTES 44 SECONDS EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 41.90 FEET TO A POINT; THENCE ALONG SAID RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 806.61 FEET AND AN ARC LENGTH OF 266.62 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 09 DEGREES 46 MINUTES 34 SECONDS EAST WITH A LENGTH OF 265.41 FEET, TO A POINT; THENCE, LEAVING SAID RIGHT-OF-WAY OF PARK PLUS BOULEVARD, SOUTH 89 DEGREES 41 MINUTES 36 SECONDS EAST, A DISTANCE OF 225.00 FEET, TO A POINT; THENCE NORTH 00 DEGREES 18 MINUTES 24 SECONDS EAST, A DISTANCE OF 225.00 FEET TO A POINT; THENCE NORTH 20 DEGREES 01 MINUTES 23 SECONDS EAST, A DISTANCE OF 220.01 FEET TO A POINT; THENCE NORTH 60 DEGREES 45 MINUTES 41 SECONDS EAST, A DISTANCE OF 500.84 FEET TO A POINT; THENCE NORTH 76 DEGREES 00 MINUTES 10 SECONDS EAST, A DISTANCE OF 100.07 FEET TO A POINT; THENCE NORTH 89 DEGREES 48 MINUTES 35 SECONDS EAST, A DISTANCE OF 204.31 FEET TO A POINT; THENCE NORTH 35 DEGREES 44 MINUTES 16 SECONDS EAST, A DISTANCE OF 60.93 FEET TO A POINT; THENCE SOUTH 68 DEGREES 39 MINUTES 27 SECONDS EAST, A DISTANCE OF 77.20 FEET TO THE POINT OF BEGINNING, AND CONTAINING 18.12 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO BERKELEY RIDGE REALTY CORP. BY DEED FROM RCP SUMMITTREE, LLC OF RECORD AS INSTRUMENT NO. 20040715-0084923, REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

EXHIBIT B

Permitted Encumbrances