Davidson County DEEDWARR
Recvd: 11/08/04 13:59 4pgs
Fees:23.00 Taxes:60804.91

20041108-0134401

Address of New Owner:	Send Tax Bills to:	Map-Parcel No.
Altamont Pointe Nashville, LLC c/o Paul Savad, Esq. 55 Old Turnpike Road, Suite 209 Nanuet, NY 10434	Same	Map: 106 Parcel: 72

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 $16,433,760.00 _____.

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, **ALTAMONT POINTE REALTY CORP.**, a Delaware corporation, hereinafter called the **GRANTOR**, has bargained and sold, and by these presents does transfer and convey unto **ALTAMONT POINTE NASHVILLE, LLC**, a Tennessee 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 860 Murfreesboro Road, 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 20th day of October, 2004.

ALTAMONT POINTE 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 President of Altamont Pointe Realty Corp., the within named bargainor, a 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 Altamont Pointe Realty Corp. 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 the 3rd Civil District of Davidson County, Tennessee being shown on a survey prepared by Barge, Waggoner & Sumner, dated June 6, 1966, revised June 15, 1972 and May 19, 1978 and being more particularly described as follows:

BEGINNING at a point in the north right of way of Murfreesboro Road or U.S. Highway No. 41, said point being W. L. Hagan's Southwest corner; thence with the north margin of Murfreesboro Road along a curve to the right having a radius of 1879.90 feet, a central angle of 7 degrees 12 minutes 22 seconds 236.32 feet to a point, the end of said curve; thence North 52 degrees 13 minutes West 268.54 feet to a point in the northerly margin of said Murfreesboro Road; thence leaving said Murfreesboro Road, North 34 degrees 47 minutes East 264.33 feet to a fence corner; thence with a fence North 49 degrees 27 minutes West 265.21 feet to a point, Harsh's southeast corner; thence North 18 degrees 04 minutes East 639.08 feet with Harsh's line and McQuiddy's line, to a fence corner; thence along McQuiddy's South line South 70 degrees 53 minutes East 673.98 feet to a point in W. L. Hagan's West line; thence with W. L. Hagan's West line the following courses and distances: South 4 degrees 08 minutes West 424.64 feet to point; South 26 degrees 03 minutes West 301.0 feet to a point; thence South 6 degrees 50 minutes West 189.00 feet to a fence corner; thence North 81 degrees 53 minutes West 152.47 feet to a corner post; thence South 10 degrees 46 minutes West 216.96 feet to the point of beginning and containing 16.01 acres, more or less.

Being the same property conveyed to Altamont Pointe Realty Corp. by deed from EBA Associates and Altamont Pointe Holding Corp. recorded as Instrument Number 200030507-0061352, Register's Office of Davidson County, Tennessee.

EXHIBIT B

Permitted Encumbrances