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BBS
m.P

Davidson County DEEDWARR
Recvd: 12/29/04 11:04 5pgs
Fees:28.00 Taxes:17760.00
20041229-0153762

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (MSP)
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238

SPECIAL WARRANTY DEED

Address New Owner:	Send Tax Bills To:	Map/Parcel Numbers:
McGavock Group Partners, LLC c/o Bill Barkley 124 12th Avenue South, Suite 610 Nashville, Tennessee 37203	Same	Map 93-9, Parcel 230 Map 93-9, Parcel 231 Map 93-9, Parcel 233

FOR AND IN CONSIDERATION OF the sum of TEN AND NO/100 DOLLARS ($10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, MARY G. MCGRATH, AS TRUSTEE OF THE MARY N. GANIER MARITAL TRUST UNDER THE WILL OF MARY N. GANIER (the "Grantor"), has bargained and sold, and hereby transfers and conveys, to MCGAVOCK GROUP PARTNERS, LLC, a Tennessee limited liability company, and its successors and assigns (the "Grantee"), certain real property in Davidson County, Tennessee, more particularly described on Exhibit A attached hereto and incorporated herein by reference:

TO HAVE AND TO HOLD said property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to Grantee, forever.

This is improved property known as McGavock Street at 12th Avenue South, Nashville, Davidson County, Tennessee.

Said property is conveyed subject to the matters described on Exhibit B attached hereto and incorporated herein by reference.

Grantor covenants and binds herself and her successors to warrant specially and defend to Grantee forever the title to said property against the lawful claims of all persons claiming through or under Grantor (excluding claims arising out of the matters set forth on Exhibit B), but no further or otherwise.

[*Signature Page Follows*]

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument as of the 21st day of December, 2004.

Mary G. McGrath, as Trustee of the Mary N. Ganier Marital Trust under the will of Mary N. Ganier

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public having authority within the State and County aforesaid, Mary G. McGrath, 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 Trustee of the Mary N. Ganier Marital Trust under the will of Mary N. Ganier, and is authorized to execute this instrument as the Trustee of the Mary N. Ganier Marital Trust.

WITNESS my hand, at office, this 28th day of December, 2004.

Notary Public

My Commission Expires:

March 25, 2006

MICHAEL S. PEEK
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires MAR. 25, 2006

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property transferred (whichever is greater) is $4,800,000.00.

MCGAVOCK GROUP PARTNERS, LLC

By: _____
William Cy Barkley, Chief Manager

Sworn to and subscribed before me this 28th day of December, 2004.

_____
Notary Public

My Commission Expires:

March 25, 2006

MICHAEL S. PEEK
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires MAR. 25, 2006

EXHIBIT A

Property Description

Being a tract of land lying in Nashville, Davidson County, Tennessee, also being Lots 91, 93, 95, 97, 99 and 101 of the Plan of McNairy's West Nashville, as of record in Plat Book 9, Page 322, at the Register's Office for Davidson County, Tennessee, and being more particularly described as follows;

Beginning at an iron rod set at the intersection of the southerly right-of-way line of McGavock Street, 49.5 feet in width, and the easterly right-of-way line of 12th Avenue South, 49.5 feet in width, said iron rod set being located at Northing: 664,227.18; Easting: 1,736,257.31; on the State Plane Coordinate System NAD-83 (1990);

Thence leaving the easterly right-of-way line of 12th Avenue South, with the southerly right-of-way line McGavock Street, North 62 deg 40 min 29 sec East, 300.00 feet to a pk nail set at the intersection with the westerly right-of-way line of 11th Avenue South;

Thence leaving the southerly right-of-way line of McGavock Street, with the westerly right-of-way line of 11th Avenue South, South 27 deg 15 min 33 sec East, 166.64 feet to a pk nail set, at the intersection with the northerly right-of-way line of Alley Number 235, 12 feet in width;

Thence leaving the westerly right-of-way line of 11th Avenue South, with the northerly right-of-way line of Alley Number 235, South 62 deg 37 min 01 sec West, 300.00 feet to a pk nail set, at the intersection with the easterly right-of-way line of 12th Avenue South;

Thence leaving the northerly right-of-way line of Alley Number 235, with the easterly right-of-way line of 12th Avenue South, North 27 deg 15 min 33 sec West, 166.94 feet to the POINT OF BEGINNING. Containing 50,036 square feet or 1.149 acres more or less.

Being the same property conveyed to Mary Napier Ganier, as of record in Deed Book 4887, Page 308; Deed Book 4993, Page 526 and Instrument Number: 20000523-0051632, at the Register's Office for Davidson County, Tennessee, and conveyed to Grantor by deed of record at Instrument No. 20031030-159963 said Register's Office.

Mary Napier Ganier has died, as evidenced by a certified copy of her Last Will and Testament dated April 19, 2002, having been recorded as Instrument Number 20031210-0177181, Register's Office of Davidson County, Tennessee, by a certified copy of the Order of the Seventh Circuit Court for Davidson County, Tennessee Probate Division (No. 03P838) dated May 22, 2003, admitting said Last Will and Testament to probate and appointing Mary G. McGrath as Executrix of said Last Will and Testament, having been recorded as Instrument Number 20031210-0177182 in said Register's Office.

EXHIBIT B

Encumbrances

1. Taxes for the year 2005, a lien, which are not yet due and payable.

2. Rights of tenants in possession as "tenants only" under unrecorded leases.

3. ALL matters shown on ALTA/ACSM Land Title Survey of Tax Map 93-9, Parcels 230, 231 and 233, prepared by Cherry Land Surveying, Inc. (R. Scot Cherry, TRLS No. 1512) and dated November 18, 2004.