Dav. Co. File Box 14-A
jtc file no. 17566-3

SPECIAL WARRANTY DEED

This instrument was prepared by Perrone & Young, 109 Westpark Dr., Ste. 330, Brentwood, TN 37027 (PRY)		
Address New Owner	**Send Tax Bills To:**	**Map/Parcel**
Southwestern Properties, Inc. 1037 9th Avenue, North Nashville, TN 37206	Same	Map 163 Parcel 244

State of Tennessee)
County of Williamson)

The actual consideration or value for this transfer, whichever is greater is $1,000,000.00.

Affiant

Sworn to and subscribed before me this 13 day of January 2005.

JOHN T. COOK NOTARY PUBLIC STATE OF TENNESSEE WILLIAMSON COUNTY

Notary Public

My commission expires: 4/12/05

For and in consideration the sum of Ten Dollars ($10) cash in hand paid by the grantee, hereinafter name, and other good and valuable consideration, the receipt and sufficiency of which is mutually acknowledged, **Heinz Lauterbach and Inge Zilch,** the "Grantors", have this day bargained and sold and do hereby transfer and convey unto the said **Southwestern Properties, Inc., a Tennessee corporation**, hereinafter "Grantee", its successors and assigns, certain real estate in Davidson County, Tennessee, as described on **Exhibit A** hereto which is incorporated herein.

To have and to hold said real estate, with the appurtenances, estate, title, and interest belonging to the said Grantee, its successors and assigns forever. Grantors covenant that they are lawfully seized and possessed of the said real estate in fee simple, have a good right to convey it, and that the same is unencumbered, except as shown on **Exhibit B**.

Grantors further covenant and bind themselves, their successors, assigns, and representatives to warrant and forever defend the title to said real estate to said Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through, or under Grantors, but not otherwise.

Witness our hand this 7th day of January 2005.

GRANTORS:

Heinz Lauterbach by Patricia R. Young, attorney-in-fact, pursuant to Power of Attorney

Inge Zilch by Patricia R. Young, attorney-in-fact, pursuant to Power of Attorney

Davidson County DEEDWARR
Recvd: 01/14/05 13:51 5 pgs
Fees:28.00 Taxes:3700.00
20050114-0005457

Margot Lauterbach, wife of Heinz Lauterbach, and Max-Wolf Zilch, husband of Inge Zilch, join in this deed for the purpose of conveying any marital interest they may have.

Margot Lauterbach by Patricia R. Young, attorney-in-fact, pursuant to Power of Attorney

Max-Wolf Zilch by Patricia R. Young, attorney-in-fact, pursuant to Power of Attorney

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Before me, the undersigned authority, a Notary Public within and for the State and County aforesaid, personally appeared **Patricia R. Young** with whom I am personally acquainted (or proved to be on the basis of satisfactory evidence) and who upon her oath acknowledged to be the Attorney-in-Fact for **Heinz Lauterbach**, the within named bargainor(s), and that she as such Attorney-in-Fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of **Heinz Lauterbach,** the within named bargainor(s) by the said **Patricia R. Young**, as such Attorney-in-Fact. Power of Attorney for the said Heinz Lauterbach of record as Instrument No. 20050114-0005453, Register's Office for Davidson County, Tennessee.

Witness my hand and seal, at office in Nashville, Tennessee, this 7th January 2005.

NOTARY PUBLIC

REBECCA L. CAREY NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

My Commission Expires: 4-20-06

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Before me, the undersigned authority, a Notary Public within and for the State and County aforesaid, personally appeared **Patricia R. Young** with whom I am personally acquainted (or proved to be on the basis of satisfactory evidence) and who upon her oath acknowledged to be the Attorney-in-Fact for **Inge Zilch**, the within named bargainor(s), and that she as such Attorney-in-Fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of **Inge Zilch,** the within named bargainor(s) by the said **Patricia R. Young**, as such Attorney-in-Fact. Power of Attorney fo the said Inge Zilch of record as Instrument No. 20050114-0005454, Register's Office for Davidson County, Tennessee.

Witness my hand and seal, at office in Nashville, Tennessee, this 7th January 2005.

NOTARY PUBLIC

REBECCA L. CAREY NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

My Commission Expires: 2-20-06

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Before me, the undersigned authority, a Notary Public within and for the State and County aforesaid, personally appeared **Patricia R. Young** with whom I am personally acquainted (or proved to be on the basis of satisfactory evidence) and who upon her oath acknowledged to be the Attorney-in-Fact for **Margot Lauterbach**, the within named bargainor(s), and that she as such Attorney-in-Fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of **Margot Lauterbach,** the within named bargainor(s) by the said **Patricia R. Young**, as such Attorney-in-Fact. Power of Attorney for the said Margot Lauterbach of record as Instrument No. 20050114-0005455, Register's Office for Davidson County, Tennessee.

Witness my hand and seal, at office in Nashville, Tennessee, this 7th January 2005.

Rebecca L Carey
NOTARY PUBLIC

REBECCA L. CAREY NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

My Commission Expires: 2-20-06

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Before me, the undersigned authority, a Notary Public within and for the State and County aforesaid, personally appeared **Patricia R. Young** with whom I am personally acquainted (or proved to be on the basis of satisfactory evidence) and who upon her oath acknowledged to be the Attorney-in-Fact for **Max-Wolf Zilch**, the within named bargainor(s), and that she as such Attorney-in-Fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of **Max-Wolf Zilch,** the within named bargainor(s) by the said **Patricia R. Young**, as such Attorney-in-Fact. Power of Attorney for the said Max-Wolf Zilch of record as Instrument No. 20050114-0005456, Register's Office for Davidson County, Tennessee.

Witness my hand and seal, at office in Nashville, Tennessee, this 7th January 2005.

Rebecca L Carey
NOTARY PUBLIC

REBECCA L. CAREY NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

My Commission Expires: 2-20-06

EXHIBIT A

[Legal Description]

All that tract or parcel of land lying in the County of Davidson, State of Tennessee, and being more particularly described as follows:

Being a parcel of land in the Second Civil District of Nashville, Davidson County, Tennessee, known as Tract A-4, Resub. of a portion of Block A, Hickory Hollow Mall, lying east of Hickory Hollow Parkway, south of Bell Road and north of Hickory Hollow Lane, of record in Plat Book 5190, Page 175, Register's Office for said County, more particularly described according to a survey made by Barge, Waggoner, Sumner and Cannon dated November 9, 1978 (File No. 4420-15) as follows:

BEGINNING at a point in the southerly margin of Bell Road, 608 feet, more or less, from the centerline of Hickory Hollow Parkway; thence with the southerly margin of Bell Road along a curve to the right having a central angle of 02 degrees 52 minutes 30 seconds, 140.00 feet to a point; thence, south 27 degrees 30 minutes 17 seconds, east 218.72 feet to a point in the northerly margin of Hickory Lane; thence with said curve having a central angle of 21 degrees 18 minutes 23 seconds, a radius of 380.00 feet, 141.31 feet to a point, thence north 27 degrees 45 minutes west 242.45 feet to the point of beginning, containing 0.73 acres, more or less.

This is improved property known as: 5325 Hickory Hollow Lane, Antioch, Davidson County, Tennessee.

grantors source of title: Book 7379 page 912 R.O.D.C.

EXHIBIT B

[Permitted Exceptions]

(a) Taxes for the year 2005 and subsequent years, not yet due and payable. Payment thereof expressly assumed by the Grantee. Map 163-00-0, Parcel 244.00

(b) The Plan of record in Book 5190, page 176, Register's Office for Davidson County, Tennessee, shows an Owner's Certificate, and is subject to all matters as set forth therein.

(c) Memorandum of Lease by and between Heinz Lauterbach and Inge Zilch (landlord) and Verizon Wireless Tennessee Partnership (Tenant) of record in Instrument No. 20030610-0080278, Register's Office for Davidson County, Tennessee.

(d) Declaration of Protective Covenants for Hickory Hollow of record in Book 5125, page 769 amended in Book 5189, page 947, Book 5337, page 933 and Restated and Amended in Book 5441, page 968 and further amended in Book 5792, page 491, Book 5951, page 26, Book 6011, page 163 and Book 6095, page 948, Register's Office for Davidson County, Tennessee.

(e) Subject to all matters shown on a survey by John Kohl & Company, PC, dated August 17, 1987.