THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **File Box 9B:** **First Title & Escrow Co., Inc.** **FTEC File No. 22970-06-2004**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $870,000.00. Affiant Subscribed and sworn to before me, this 18th day of February, 2005. Notary Public My Commission Expires:

GEORGE E. MUDTER, JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2008

WARRANTY DEED

Address New Owner: Herbert B. and Betty J. Barrett Penthouse 1 and Penthouse 2 117 30th Avenue North Nashville, TN 37203	**Send Tax Bills To:** New Owner	**Tax Information:** Map No.104-02-W Parcel Nos. 801.00 CO and 802.00 CO

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **WEST END LOFTS II, LLC, A Tennessee Limited Liability Company,** ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Herbert B. Barrett and Betty J. Barrett, Husband and Wife,** ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property located at Penthouse 1 and Penthouse 2, 117 30th Avenue North, Nashville, TN 37203.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee, its successors, heirs and assigns, forever.

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Pursuant to terms of Paragraph 8 of the Master Deed, Grantor hereby allocates to Grantee, parking spaces numbered: 4A, 8A, 39B, and 41B as depicted on page 23 of Exhibit "D" to the Master Deed, described in Exhibit "A" hereto.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 18th day of February, 2005.

Davidson County DEEDWARR
Recvd: 02/24/05 14:32 2 pg
Fees:13.00 Taxes:3219.00
20050224-0020657

West End Lofts, II., LLC

BY: _____
Chris James, Secretary

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Before me, the undersigned, of the State and County aforesaid, personally appeared Chris James, 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 Secretary of West End Lofts, II., LLC, A Tennessee Limited Liability Company, the within named bargainor, and that he as such Secretaryr executed the foregoing instrument for the purposes therein contained, by signing the name of West End Lofts, II., LLC, A Tennessee Limited Liability Company by himself as Secretary.

Witness my hand and official seal at Nashville, Tennessee, 18th day of February, 2005.

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Notary Public

My commission expires:

My Commission Expires JULY 19, 2008

EXHIBIT "A"

Land in Davidson County, Tennessee, being Penthouse 1 and Penthouse 2, together with the appurtenant interest in the common elements of West End Lofts II Condominium, a horizontal property regime established by Master Deed, appearing as Instrument No. 20030701-0091161, and amended as Instrument No. 20050106-0002529, Register's Office for Davidson County, Tennessee, said Unit being depicted on the Condominium Site Plan attached as Exhibit "D" to the aforementioned Master Deed.

Being part of the same property conveyed to West End Lofts II, LLC, a Tennessee limited liability company by deed dated, July 1, 2003 from Roy Berkon and wife, Adele C. Berkon and Rachel Chojnacki, widow of Wolf Chojnacki of record in Instrument No. 20030701-0091157, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1) 2005 Property Taxes, which have been prorated by the parties and assumed by the Grantee(s);
2) Covenants, Conditions, Restrictions and Agreements, including the agreement to pay assessments for the maintenance of common areas, contained in the Master Deed for West End Lofts II Condominiums Association, Inc., recorded as Instrument No. 20030701-009116, Register's Office for Davidson County, Tennessee.
3) Charter of Incorporation appearing as Instrument No. 200412150149415, Register's Office for Davidson County, Tennessee.
4) Terms and limitations imposed by Tennessee Horizontal Property Act, T.C.A. § 66-27-101, et seq.; and
5) All matters appearing on the Plan of record in Book 161, page 121, Register's Office for Davidson County, Tennessee.