Davidson County DEEDWARR
Recvd: 07/29/05 10:44 3 pgs
Fees:18.00 Taxes:7030.00
20050729-0088830

B030281

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this **30th** day of **June, 2005**, by and between **BankTennessee**, a corporation organized and existing under and by virtue of the laws of the State of Tennessee, party of the first part, and **VN Hotel Investors, LLC, a Kansas limited liability company**, party of the second part,

WITNESSETH: That for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the County of **Davidson**, State of Tennessee.

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

Being the same property conveyed to the party of the first part in Substitute Trustee's Deed of record at Instrument Number 20050527-0060416, in the Register's Office of Davidson County, Tennessee.

Parcel #: 13DA17415, Map 71-2, Parcel 147

The property may be filled land or partially filled land and Grantor shall not be responsible or liable for any claims of any kind or character because of the property being filled or partially filled land. Grantor makes no warranty concerning the degree or flow of rainwater inundation that may result on the property.

TO HAVE AND TO HOLD the aforesaid real estate together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his/her heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that he/she is lawfully seized in fee of the aforedescribed real estate; that it has good right to sell and convey the same; that the same is unencumbered, EXCEPT for 2005 Davidson County taxes, not yet due and payable; which the party of the second part assumes agrees to pay; as set forth above, and Subdivision Restrictions, Building Lines and Easements of re cord in Plat Book 7900, Page 109; and Easements of record at Instrument Numbers 10264-73 and 10264-76, in the Register's Office of Davidson County, Tennessee, as set forth above, and that the title and quiet possession thereto he/she warrants and forever defends against the lawful claims of all persons claiming by, through or under him, but not further or otherwise..

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the party of the first part the day and year first above written.

BankTennessee

By: _____
Chris R. Zuercher, Senior Vice President

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, the undersigned, Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Chris R. Zuercher,** with whom I am personally acquainted, (or proven to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself/herself to be a **Senior Vice President** (or other officer authorized to execute the instrument) of **BankTennessee**, the within named bargainor, a corporation, and that he/she as such **Senior Vice President,** executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as **Senior Vice President.**

WITNESS my hand and Notarial Seal at office this **30th** day of **June, 2005.**

_____
Notary Public

My commission expires: 05/08/07

TERESA M. BERNHARDT
NOTARY PUBLIC AT LARGE
SHELBY COUNTY, TN

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Property address: **2401 Brick Church Pike**
Nashville, TN 37207

Owner's name: **VN Hotel Investors, LLC**
and address: **1105 S. Laurel**
Wichita, KS 67207

Mail tax bills to, (Person or Agency responsible for payment of taxes)
VN Hotel Investors, LLC
1105 S. Laurel
Wichita, KS 67207

This instrument prepared by:
Bernhardt Law Firm
6363 Poplar Avenue, Ste. 405
Memphis, TN 38119

File No.: B051337

Return to: Bernhardt Law Firm
6363 Poplar Avenue, Suite 405
Memphis, TN 38119

I, or we, hereby swear and affirm that, to the best of the affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$1,900,000.00** which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this **30th** day of **June, 2005**.

Notary Public

My Commission Expires: 5/08/07

TERESA M. BERNHARDT
NOTARY PUBLIC AT LARGE
SHELBY COUNTY, TN

EXHIBIT "A"
Legal Description

That land situated in Davidson County, Tennessee, which is more particularly described as follows:

BEGINNING at an iron pin set in the easterly margin of Brick Church Pike, said pin being the Northwest corner of the herein described property and the Southwest corner of the Jai Prabhu, LLC property of record in Book 10965, page 159, Register's Office for Davidson County, Tennessee; thence leaving the margin of Brick Church Pike N 75 deg. 18 min. 33 sec. East 135.42 feet to an iron pin set; thence, North 11 deg. 18 min. 50 sec. West 112.68 feet to a concrete monument at the Southwest corner of the Hotel South property of record in Book 8815, page 563, said Register's Office; thence, North 76 deg. 57 min. 12 sec. East 316.89 feet to an iron pin; thence, North 05 deg. 56 min. 40 sec. East 29.46 feet to an iron pin; thence, South 84 deg. 03 min. 20 sec. East 44.00 feet to an iron pin set in the westerly margin of Interstate 65, thence with said margin South 05 deg. 56 min. 40 sec. West 236.63 feet to an iron pin set; thence, South 05 deg. 49 min. 21 sec. West 176.40 feet to an iron pin set; thence, South 36 deg. 12 min. 13 sec. West 141.57 feet to a concrete highway monument; thence, South 35 deg. 51 min. 13 sec. West 64.22 feet to an iron pin at the Northeast corner of McDonald's Corporation property of record in Book 5297, page 957, said Register's Office; thence, leaving the margin of Interstate 65, North 59 deg. 02 min. 11 sec. West 102.94 feet to an iron pin set; thence North 83 deg. 11 min. 52 sec. W 132.16 feet to an iron pin set in the easterly margin of Brick Church Pike; thence with said Margin and a curve to the left having a radius of 996.83 feet, a delta angle of 1 deg. 48 min. 38 sec., a tangent of 15.75 feet, a chord length of 31.50 feet, said chord having a bearing of North 12 deg. 34 min. 33 sec. West and an arc length along said curve of 31.50 feet to an iron pin set; thence continuing along said margin North 13 deg. 28 min. 52 sec. West 247.85 feet to the point of beginning, containing 3.86 acres, more or less, as described according to a survey by J. Bruce Rainey, Surveyor #823, dated February 4, 2000 and revised February 11, 2000, and known as Job No. 990209.