THIS INSTRUMENT PREPARED BY:	NEW OWNER:	PROPERTY ADDRESS:	MAIL TAX BILLS TO:	TAX PARCEL NO.:
Lynn A. Landau Baker, Donelson, Bearman & Caldwell 165 Madison Avenue, Suite 2000, Memphis, Tennessee 38103 **WHEN RECORDED RETURN TO:** Bradley G. Siegal Leitman, Siegel & Payne 600 North 20th Street Suite 400 Birmingham, AL 35203	Colonial Realty Limited Partnership 2101 6th Avenue, North Suite 900 Birmingham, AL 35203	2828 Old Hickory Blvd. No. 1 Nashville, TN 37221 (Lot 1)	Colonial Realty Limited Partnership 2101 6th Avenue, North Suite 900 Birmingham, AL 35203	Tax Map 142 Parcel 322

Davidson County DEEDWARR
Recvd: 11/30/05 15:30 7 pgs
Fees:38.00 Taxes:131350.00

20051130-0144121

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into as of the 29 day of November, 2005, by and between **SCHAEDLE WORTHINGTON HYDE PROPERTIES, L.P.**, a Delaware limited partnership whose address is 5550 Triangle Parkway, Suite 300, Norcross, Georgia 30092 (hereinafter "Grantor"), and **COLONIAL REALTY LIMITED PARTNERSHIP**, a Delaware limited partnership whose address is 2101 6th Avenue, North, Suite 900, Birmingham, Alabama 35203 (hereinafter "Grantee");

W I T N E S S E T H:

THAT for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, Grantor has bargained and sold and does hereby bargain, sell, convey, and confirm unto Grantee the following described real estate, situated and being in the County of Davidson, State of Tennessee, to-wit:

All of that certain real estate described in **Exhibit "A"** attached hereto and incorporated herein by this reference.

This being a portion of the same real estate conveyed to HSW Devon Hills Associates, L.P. by Deed of record in Deed Book 9150, page 187 in the Register's Office of Davidson County, Tennessee. Pursuant to Certificate of Merger recorded in Book 11135, page 436, said Register's Office, HSW Devon Hills Associates, L.P., is now known as Schaedle Worthington Hyde Properties, L.P. The foregoing legal description was taken from that certain ALTA/ACSM Land Title Survey of The Grove at Devon Hills, certified on November 16, 2005, prepared by Barge, Waggoner, Sumner & Cannon, Inc., William C. Cockrill, RLS No. 1401.

TO HAVE AND TO HOLD the aforesaid real estate, together with all improvements thereon and all appurtenances and hereditaments thereunto belonging or in anywise appertaining unto Grantee, its successors and assigns in fee simple forever.

AND, subject always to those liens, easements, encumbrances and exceptions listed in **Exhibit "B,"** attached hereto and incorporated herein by reference, Grantor does hereby covenant with Grantee that title to the aforesaid real estate Grantor will warrant and forever defend against the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise.

As used herein, pronouns shall be construed according to their gender and number according to the context thereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by and through its duly authorized officer as of the day and year first above written.

SCHAEDLE WORTHINGTON HYDE PROPERTIES, L.P., a Delaware limited partnership

By: Pittco Holdings, Inc., a Delaware corporation, Sole General Partner

By: John H. Pontius
John H. Pontius, Vice-President and Secretary

ACKNOWLEDGMENT(S)

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, Lynn A. Landau, a Notary Public in and for said State and County duly commissioned and qualified, **JOHN H. PONTIUS**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Vice-President and Secretary of **PITTCO HOLDINGS, INC.**, a Delaware corporation (the "Constituent"), the sole general partner of **SCHAEDLE WORTHINGTON HYDE PROPERTIES, L.P.**, a Delaware limited partnership (the "Maker"), and is authorized by the Maker or by its Constituent, the Constituent being authorized by the Maker, to execute this instrument on behalf of the Maker.

WITNESS my hand, at office, this 23rd day of November, 2005.

Lynn A Landau
Notary Public

My Commission Expires:

March 4, 2009

LYNN A. LANDAU
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. MARCH 04, 2009

M LL 911991 v2
2788426-000191 11/18/05

AFFIDAVIT OF VALUE

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is Thirty-Five Million Five Hundred Thousand Dollars ($35,500,000.00), which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

John H. Pontani

AFFIANT

SUBSCRIBED AND SWORN TO before me this 23rd day of November, 2005.

Lynn A Landau

Notary Public

My Commission Expires:

March 4, 2009



M LL 911991 v2
2788426-000191 11/18/05

EXHIBIT "A"
TO
SPECIAL WARRANTY DEED
FROM
SCHAEDLE WORTHINGTON HYDE PROPERTIES, L.P.
TO
COLONIAL REALTY LIMITED PARTNERSHIP

Description Of Real Estate

[SEE ATTACHED]

Exhibit A

Legal Description

Being a parcel of land in Nashville, Second Civil District, Thirty-fifth Councilmanic District, Davidson County, Tennessee, located on the easterly side of Old Hickory Boulevard north of CSX Railroad, being Lot No. 1 as shown on the plan of the Grove at Devon Hills as of record in Book 7900, Page 901, R.O.D.C. and being more particularly described as follows:

BEGINNING at an existing iron rod in the easterly right-of-way line of Old Hickory Boulevard, said point being northerly 365.14 feet from the northerly right-of-way line of CSX Railroad;

THENCE, with said easterly right-of-way line of Old Hickory Boulevard, the following calls:

Along a curve to the right 1,024.63 feet to an existing iron rod; said curve having a central angle of 23° 51' 53", a radius of 2,460.00 feet, a tangent of 519.85 feet, and a chord of N 04° 15' 56" W, 1,017.24 feet;

N 07° 37' 27" E, 87.64 feet to an existing iron rod;

along a curve to the right 46.63 feet to an existing iron rod; said curve having a central angle of 89° 03' 42", a radius of 30.00 feet, a tangent of 29.51 feet, and a chord of N 52° 14' 58" E, 42.06 feet;

N 06° 38' 09" E, 60.02 feet to an existing iron rod;

along a curve to the right 45.57 feet to an existing iron rod; said curve having a central angle of 87° 01' 51", a radius of 30.00 feet, a tangent of 28.48 feet, and a chord of N 39° 48' 40" W, 41.31 feet;

along a curve to the left 7.96 feet to an iron rod; said point being the southwest corner of M.M.E. Limited Partnership as of record in Book 8568, Page 201, R.O.D.C; said curve having a central angle of 00° 32' 34", a radius of 840.00 feet, a tangent of 3.98 feet, and a chord of N 03° 28' 11" E, 7.96 feet;

THENCE, leaving said easterly right-of-way line of Old Hickory Boulevard with the southerly property line of said M.M.E. Limited Partnership as shown on the plan of Devon Glen, Phase III of record in Plat Book 7900, Page 663, R.O.D.C. the following calls:

N 83° 57' 33" E, 166.68 feet to an existing iron rod;

N 53° 56' 53" E, 155.28 feet to an existing iron rod;

N 82° 29' 46" E, 48.64 feet to an existing iron rod;

S 57° 18' 03" E, 129.14 feet to an existing iron rod;

THENCE, continuing with said Devon Glen, Phase III and the southeasterly property line of Devon Valley, Phase One as of record in Plat Book 7900, Page 458, R.O.D.C; N 51° 46' 14" E, 700.50 feet to an existing iron rod;

THENCE, continuing with said southeasterly line of Devon Valley, Phase One, N 30° 28' 31" E, 247.53 feet to an existing iron rod;

THENCE, with the northeasterly line of said Devon Valley, Phase One, N 40° 47' 21" W, 138.41 feet to an existing iron rod, said rod being the southeast corner of Devon Valley, Phase Two as of record in Plat Book 7900, Page 563, R.O.D.C;

THENCE, with the southeasterly line of said Devon Valley, Phase Two, N 33° 01' 32" E, 754.14 feet to an existing iron rod; said rod being the northeast corner of Devon Valley, Phase Two and in the southerly line of Devon Hills Open Space Dedication of record in Plat Book 9700, Page 743, R.O.D.C;

Exhibit A

Legal Description (continued)

THENCE, with the southerly line of Devon Hills Open Space Dedication N 84° 17' 17" E, 264.93 feet to an iron pin;

THENCE, leaving said southerly line with the westerly line of Lot No. 2 as shown on the plan of the Grove at Devon Hills as of record in Book 7900, Page 901, R.O.D.C., the following calls:

S 17° 53' 20" W, 2,647.13 feet to an iron pin;

S 01° 38' 04" E, 90.00 feet to an iron pin;

N 88° 21' 56" E, 255.00 feet to an iron pin;

S 01° 38' 04" E, 220.00 feet to an iron pin;

THENCE, with a northerly line of said Lot No. 2, the following calls:

S 76° 21' 56" W, 492.70 feet to an iron pin;

along a curve to the right 319.27 feet to an iron pin, said curve having a central angle of 58° 17' 59", a radius of 313.77 feet, a tangent of 175.00 feet and a chord of N 74° 29' 04" W, 305.67 feet;

N 45° 20' 05" W, 157.53 feet to an iron pin;

along a curve to the left 135.09 feet to a point, said curve having a central angle of 61° 55' 19", a radius of 125.00 feet, a tangent of 74.99 feet, and a chord of N 76° 17' 36" W, 128.61 feet;

S 72° 44' 52" W, 55.01 feet to an iron pin in the easterly right-of-way line of Old Hickory Boulevard;

THENCE, with said easterly right-of-way line of Old Hickory Boulevard, N 17° 15' 08" W, 30.00 feet to an iron rod;

THENCE, continuing with the easterly right-of-way line of Old Hickory Boulevard along a curve to the right 47.24 feet to the point of beginning, said curve having a central angle of 90° 13' 02", a radius of 30.00 feet, a tangent of 30.11 feet and a chord of N 61° 17' 53" W, 42.51 feet.

Containing 2,181,108 square feet or 50.07 acres, more or less.

Being a portion of the same property conveyed to HSW Devon Hills Associates, L.P. by deed of record in Book 9150, Page 187, R.O.D.C. HSW Devon Hills Associates, L.P. is now known as Schaedle Worthington Hyde Properties, L.P. by virtue of Articles of Merger of record in Book 11135, Page 436, Book 11135, Page 443, and Book 11135, Page 450, R.O.D.C..

Together with easements as set forth in Mutual Easement and Maintenance Agreement of record in Book 9606, Page 425, R.O.D.C.

* Book 9150, Page 187

EXHIBIT "B"
TO
SPECIAL WARRANTY DEED
FROM
SCHAEDLE WORTHINGTON HYDE PROPERTIES, L.P.
TO
COLONIAL REALTY LIMITED PARTNERSHIP

Encumbrances

All the exceptions shown on Schedule B of Lawyers Title Insurance Corporation Owner's Title Insurance Policy, issued pursuant to Title Insurance Commitment, Case No. 57620, having an effective date of November 14, 2005.

Nothing herein is intended to modify the obligations of Grantor and Grantee to prorate ad valorem taxes as set forth in the Agreement for Purchase and Sale, dated as of October 19, 2005, as amended.
