1st

Davidson County DEEDWARR
Recvd: 12/30/05 12:35 5 pgs
Fees:28.00 Taxes:11100.00
20051230-0156892

THIS INSTRUMENT PREPARED BY:
Laurence M. Papel, Esq.
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
211 Commerce Street, Suite 1000
Nashville, TN 37201

ADDRESS NEW OWNER	**SEND TAX BILLS TO:**	**MAP PARCEL**
Tower 411 Broadway, LLC 250 W. Main Street Suite 101 Woodland, California 95695	same	93-6-3/111

STATE OF Tennessee
COUNTY OF Davidson

The actual consideration or value, whichever is greater, for this transfer is $3,000,000.00.

Affiant

Subscribed and sworn to before me this the 30th day of December, 2005.

Notary Public

My Commission Expires: 11-22-08

MARILYN HYDE
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named GRANTEE, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **BudMark Investments, LLC**, a Tennessee limited liability company, hereinafter called "GRANTOR," has bargained and sold, and by these presents does transfer and convey unto **Tower 411 Broadway, LLC**, a Delaware limited liability company, hereinafter called "GRANTEE," its successors and assigns, certain real property in Davidson County, State of Tennessee, described as follows (the "Property"):

(SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE AS FULLY AS THOUGH COPIED HEREIN)

The Property is transferred subject to the limitations, restrictions, and encumbrances set forth on **Exhibit "B**."

This is improved property known as 411 Broadway, Nashville, Davidson County, Tennessee.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns, forever, and GRANTOR does covenant with said GRANTEE that it is lawfully seized and possessed of the Property in fee simple, has a good right to convey it, and the same is free from all encumbrances made or suffered by Grantor, except as listed on **Exhibit B** and representations and limitations as expressly provided for hereby; and GRANTOR does further covenant and bind itself, its successors, assigns and representative, to warrant and forever defend the title to the Property to the said GRANTEE, its successors and assigns, against the lawful claims of all persons claiming by, through or under the GRANTOR, but not further or otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

EXECUTED this 28th day of December, 2005, to be effective as of December 30, 2005.

GRANTOR:

BudMark Investments, LLC, a Tennessee limited liability company

By: _____
K. S. Adams, Jr.

Title: Chief Manager

N MBH 544907 v1
2823516-000017 12/21/05

STATE OF TEXAS

COUNTY OF HARRIS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared **K. S. Adams, Jr.**, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledge himself to be Chief Manager of BudMark Investments, LLC, the within named bargainor, a Tennessee limited liability company, and that he as such Chief Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chief Manager.

Witness my hand and seal, at office, in Houston, Harris County, Texas, this the 28th day of December, 2005.

Jorene Martin
Notary Public

My Commission Expires:

8-31-09

JORENE MARTIN
Notary Public, State of Texas
Commission Expires 08-31-2009

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EXHIBIT "A"

Property Description

Being a parcel of land in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the southerly side of Broadway, formerly Broad Street, west of Fourth Avenue South, formerly Cherry Street and being part of Lot No. 31 on the First Plan of Davidson Academy Lots, not of record, and being more particularly described as follows:

Beginning at a P.K. nail set at building joint on the southerly right-of-way line of Broadway, said nail being the northwest corner of Jack W. Lawrence, as of record in Book 3876, Page 331, R.O.D.C. and being located 107.03 feet west of the southwest corner of the intersection of Broadway and Fourth Avenue South;

THENCE, leaving said southerly right-of-way line of Broadway with the building joint between Jack W. Lawrence and the herein described S 27° 15' 04" E, 180.00 feet to an iron pin set at the corner of a loading dock in the northerly margin of Alley No. 69;

THENCE, with said northerly margin of Alley No. 69, S 62° 19' 24" W, 60.15 feet to the intersection of Alley 68 and Alley 69;

THENCE, leaving said northerly margin of Alley 69 and following the easterly margin of Alley 68, N 27° 20' 40" W, 180.00 feet to the southerly right-of-way of Broadway;

THENCE, with said southerly right-of-way of Broadway, N 62° 19' 28" E, 60.42 feet to the point of beginning,

Containing 10,851 square feet or 0.25 acres, more or less.

Being the same property conveyed to BudMark Investments, LLC, a Tennessee limited liability company, by deed of record in Instrument No. 20030411-0048629, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"

THE FOREGOING DESCRIBED PROPERTY IS CONVEYED SUBJECT TO THE FOLLOWING:

1. Metropolitan Government and Davidson County taxes for the year 2006 and subsequent years.

2. Restrictions as contained in Book 7423, page 374, Book 8027, page 865 and Book 9208, page 613, Register's Office for Davidson County, Tennessee.

3. Terms and Provisions of Metro Ordinance No. 097-755 of record in Book 10512, page 464, Register's Office for Davidson County, Tennessee.

4. Terms and Provisions of Metro Ordinance No. BL2002-1033 of record in Instrument No. 20020626-0076795, as amended in Instrument No. 20050124-0008719.