313
Gullet
Hamlin

Davidson County DEEDWARR
Recvd: 02/14/06 15:47 8 pgs
Fees:43.00 Taxes:23128.16

20060214-0018087

THIS INSTRUMENT PREPARED BY: **Allen D. Lentz** **GULLETT, SANFORD, ROBINSON & MARTIN, PLLC** 315 DEADERICK STREET, SUITE 1100 P. O. BOX 198888 NASHVILLE, TENNESSEE 37219-8888 (615) 244-4994	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration or value, whichever is greater, for this transfer is $6,250,854.50. Affiant Subscribed and sworn to before me, this 14th day of February, 2006. Notary Public My Commission Expires:

CARLENE LEE HAMLIN
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires JAN. 27, 2007

Address New Owner As Follows:	Send Tax Bills To:	Map-Parcel Number:
Demonbreun Gateway Partners 40 Eakin Properties LLC 1600 Division St, Ste 600 Nashville TN 37203	new owner	Map 093-09-0 237.00 Parcels 237, 239, 240, 270, 272, 273, 274, 275, 293, 294, 295, 296, 297

SPECIAL WARRANTY DEED

For and in consideration of the sum of Ten Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, **JAMES R. PICKEL, JR. AND WIFE, HADEN H. PICKEL, WILLIAM M. DERRYBERRY, JAMES R. PICKEL, JR., TRUSTEE FOR HAROLD HARRIS PICKEL, JAMES R. PICKEL, JR., TRUSTEE FOR JAMES REES PICKEL, III, PATRICIA DERRYBERRY, TRUSTEE FOR DEANNA DERRYBERRY, AND PATRICIA DERRYBERRY, TRUSTEE FOR WILLIAM REES DERRYBERRY, AND PICKEL, DERRYBERRY & DERRYBERRY, A TENNESSEE PARTNERSHIP COMPOSED OF JIMMY R. PICKEL, JR. WILLIAM M. DERRYBERRY AND PATRICIA P.** HARPER

DERRYBERRY, hereinafter called the Grantors, have bargained and sold, and by these presents do transfer and convey unto **DEMONBREUN GATEWAY PARTNERS,** a Tennessee general partnership., hereinafter called the Grantee, its successors and/or assigns, certain tracts or parcels of land in Davidson County, State of Tennessee, described as follows:

TRACT I:
NORTH OF DEMONBREUN
BEING A TRACT OF LAND LYING IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE, ALSO KNOWN AS PARCELS 237, 239 AND 240, MAP 93-9, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
BEGINNING AT AN EXISTING IRON ROD AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF 12TH AVENUE SOUTH AND THE NORTHERLY RIGHT-OF-WAY LINE OF DEMONBREUN STREET;
THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DEMONBREUN STREET ALONG A CURVE TO THE RIGHT WITH ARC LENGTH OF 39.12 FEET, THE RADIUS OF WHICH IS 25.00 FEET, THE CENTRAL ANGLE OF WHICH IS 89 DEG 39 MIN 49 SEC, THE CHORD OF WHICH IS SOUTH 17 DEG 34 MIN 22 SEC WEST, 35.25 FEET TO AN EXISTING PK NAIL;
THENCE SOUTH 62 DEG 24 MIN 16 SEC WEST, 168.11 FEET TO AN EXISTING PK NAIL;
THENCE SOUTH 70 DEG 13 MIN 48 SEC WEST, 57.36 FEET TO AN EXISTING TACK IN LEAD AT A CORNER COMMON WITH DYNAMIC INDUSTRIES, AS OF RECORD IN DEED INSTRUMENT No. 200401080003113, AT THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE;
THENCE LEAVING THE NORTHERLY RIGHT-OF-WAY LINE OF DEMONBREUN STREET WITH THE EASTERLY PROPERTY LINE OF DYNAMIC INDUSTRIES, NORTH 27 DEG 29 MIN 51 SEC WEST, 115.55 FEET TO AN EXISTING PK NAIL ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ALLEY No. 235, 12 FEET IN WIDTH;
THENCE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF ALLEY No. 235, NORTH 62 DEG 20 MIN 58 SEC EAST, 100.00 FEET TO AN EXISTING IRON ROD AT A CORNER COMMON WITH STEVEN PATE, AS OF RECORD IN DEED INSTRUMENT No. 200210210128901, AT THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE;
THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF ALLEY No. 235 WITH THE WESTERLY PROPERTY LINE OF STEVEN PATE, SOUTH 27 DEG 29 MIN 51 SEC EAST, 42.99 FEET TO AN EXISTING IRON ROD;
THENCE NORTH 62 DEG 22 MIN 06 SEC EAST, 150.14 FEET TO AN EXISTING IRON ROD ON THE WESTERLY RIGHT-OF-WAY LINE OF 12TH AVENUE SOUTH;
THENCE WITH THE WESTERLY RIGHT-OF-WAY LINE OF 12TH AVENUE SOUTH, SOUTH 27 DEG 15 MIN 33 SEC EAST, 55.71 FEET TO THE POINT OF BEGINNING, CONTAINING 24,062 SQUARE FEET (0.552 ACRES MORE OR LESS).
BEING THE SAME PROPERTY CONVEYED TO JAMES R. PICKEL Jr., AS OF RECORD IN DEED BOOK 10633, PAGE 408 AND JAMES R. PICKEL Jr. AND HADEN H. PICKEL, AS OF RECORD IN DEED BOOK 10551, PAGE 244, AT THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE;

TRACT II:
SOUTH OF DEMONBREUN
BEING A TRACT OF LAND LYING IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE, ALSO KNOWN AS PARCELS 270, 272, 273, 274, 275, 293, 294, 295, 296 AND 297, TAX MAP 93-9, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
BEGINNING AT A CHISELED X ON CONCRETE WALK AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF DEMONBREUN STREET AND THE WESTERLY RIGHT-OF-WAY LINE OF 12TH AVENUE SOUTH;
THENCE WITH THE WESTERLY RIGHT-OF-WAY LINE OF 12TH AVENUE SOUTH ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 39.39 FEET, THE

RADIUS OF WHICH IS 25.00 FEET, THE CENTRAL ANGLE OF WHICH IS 90 DEG 16 MIN 04 SEC, THE CHORD OF WHICH IS SOUTH 72 DEG 27 MIN 42 SEC EAST, 35.44 FEET TO AN EXISTING CHISELED X ON CONCRETE WALK;
THENCE SOUTH 27 DEG 19 MIN 40 SEC EAST, 336.45 FEET TO AN EXISTING IRON ROD AT THE INTERSECTION OF THE NORTHERLY RIGHTOF-WAY LINE OF LAUREL STREET;
THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF 12TH AVENUE SOUTH WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LAUREL STREET SOUTH 62 DEG 42 MIN 42 SEC WEST, 352.02 FEET TO AN EXISTING CONCRETE MONUMENT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 40;
THENCE WITH THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 40, NORTH 27 DEG 11 MIN 38 SEC WEST, 356.53 FEET TO AN EXISTING IRON ROD ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DEMONBREUN STREET;
THENCE LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 40 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DEMONBREUN STREET ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 93.51 FEET, THE RADIUS OF WHICH IS 1386.39 FEET, THE CENTRAL ANGLE OF WHICH IS 03 DEG 51 MIN 52 SEC, THE CHORD OF WHICH IS NORTH 60 DEG 28 MIN 28 SEC EAST, 93.49 FEET TO AN EXISTING PK NAIL;
THENCE NORTH 62 DEG 24 MIN 16 SEC EAST, 232.65 FEET TO THE POINT OF BEGINNING, CONTAINING 126,561 SQUARE FEET (2.905 ACRES MORE OR LESS).
BEING PART OF THE SAME PROPERTY CONVEYED TO:

JAMES R. PICKEL, JR. BY DEED FROM UNIVERSAL TIRE, INC. OF RECORD IN BOOK 10633, PAGE 408, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

JAMES R. PICKEL, JR., A 26 2/3% UNDIVIDED INTEREST; WILLIAM M. DERRYBERRY, A 26 2/3% UNDIVIDED INTEREST; JAMES R. PICKEL, JR., TRUSTEE FOR HAROLD HARRIS PICKEL, AND 11 2/3% UNDIVIDED INTEREST; JAMES R. PICKEL, JR., TRUSTEE FOR JAMES REES PICKEL, III, AND 11 2/3% UNDIVIDED INTEREST; PATRICIA DERRYBERRY, TRUSTEE FOR DEANNA DERRYBERRY, AND 11 2/3% UNDIVIDED INTEREST; AND PATRICIA DERRYBERRY, TRUSTEE FOR WILLIAM REES DERRYBERRY, AN 11 2/3% UNDIVIDED INTEREST BY DEED FROM MID-TENN REALTY COMPANY, INC., A TENNESSEE CORPORATION, OF RECORD IN BOOK 6117, PAGE 352, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

JAMES R. PICKEL, JR. AND WIFE, HADEN H. PICKEL, BY DEED FROM ROBERT E. DUNN, III, JAMES MCEWEN DUNN, AND JAMES E. ELMORE, AS EXECUTORS AND TRUSTEES UNDER THE LAST WILL AND TESTAMENT OF HELEN T. DUNN, DECEASED, OF RECORD IN BOOK 7807, PAGE 351, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

PICKEL, DERRYBERRY & DERRYBERRY, A TENNESSEE PARTNERSHIP COMPOSED OF JIMMY R. PICKEL, JR. WILLIAM M. DERRYBERRY AND PATRICIA P. DERRYBERRY, BY DEED FROM SAM J. MCALLESTER, III, TRUSTEE, OF RECORD IN BOOK 6143, PAGE 138, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

MID-TENN REALTY CO., INC., A TENNESSEE CORPORATION, BY DEED FROM HELEN T. DUNN OF RECORD IN BOOK 2196, PAGE 576, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE. *MID-TENN REALTY COMPANY, INC., A TENNESSEE CORPORATION, WAS DISSOLVED ON OR ABOUT AUGUST, 1983. THE DISTRIBUTION OF ALL CORPORATE ASSETS OF SAID CORPORATION AS SET FORTH IN THAT QUITCLAIM DEED OF RECORD IN BOOK 6117, PAGE 352, VESTED THE SUBJECT PROPERTY AS FOLLOWS: JAMES R. PICKEL, JR., A 26 2/3% UNDIVIDED INTEREST; WILLIAM M. DERRYBERRY, A 26 2/3% UNDIVIDED INTEREST; JAMES R. PICKEL, JR., TRUSTEE FOR HAROLD HARRIS PICKEL, AND 11 2/3% UNDIVIDED INTEREST; JAMES R. PICKEL, JR., TRUSTEE FOR JAMES REES PICKEL, III, AND 11 2/3% UNDIVIDED INTEREST; PATRICIA DERRYBERRY, TRUSTEE FOR DEANNA DERRYBERRY, AND 11 2/3% UNDIVIDED INTEREST; AND PATRICIA DERRYBERRY, TRUSTEE FOR WILLIAM REES DERRYBERRY, AN 11 2/3% UNDIVIDED INTEREST.

This conveyance is subject to the following:

1. 2006 taxes, a lien but not yet due and payable, which have been prorated and assumed by Grantee. By acceptance of delivery of this instrument, Grantee assumes and agrees to pay such taxes as and when such become payable and to indemnify and hold harmless Grantor from liability and loss therefrom.

2. All matters as shown on the Plan of record in Book 1, page 15, of the Chancery Court of Davidson County, Tennessee.

3. All matters as shown on the Plan of record in Book 9, page 322, Register's Office for Davidson County, Tennessee.

4. All matters as shown on the Plan of record in Minute Book "C", pages 136 and 137, of the Chancery Court of Davidson County, Tennessee.

5. Tract I: Easement to State of Tennessee as set forth in deed of record in Book 4328, page 500, said Register's Office.

6. Tract II: Lack of direct access to and from Interstate 40, such rights having been conveyed to the State of Tennessee by deed of record in Book 4318, page 544, said Register's Office.

7. Tract II: Easement conveyed to the State of Tennessee by deed of record in Book 4318, page 544, said Register's Office.

8. Tract II: Bill No. 084-571 closing Alley No. 234 extending from 12th Ave S westerly to the easterly margin of Interstate 40 retains easements to the Metropolitan Government of Nashville and Davidson County, Tennessee.

9. Tract II: Final Consent Judgment conveying property to the State of Tennessee for the construction of a controlled access highway of record in Book 4370, page 916, said Register's Office.

10. Tract II: Final Consent Judgment conveying property to the State of Tennessee for the construction of a controlled access highway of record in Book 4395, page 715, said Register's Office.

11. Arts Center Redevelopment Plan containing restrictive covenants of record in Book 10965, page 404, amended in Book 11625, page 252 and amended as Instrument No. 20020715-0084598, Register's Office for Davidson County, Tennessee.

12. Arts Center Redevelopment Plan in Ordinance # 99-1188, Amendment No. 1 as Ordinance #99-1761 and Amendment No. 2 as Ordinance No. BL 2002-1063, Metropolitan Clerk's Office for Davidson County, Tennessee.

This is property known as 1200 Demonbreun Street, 1204 Demonbreun Street, 1206 Demonbreun Street, 1211 Demonbreun Street, 1207 Demonbreun Street, 1205 Demonbreun Street, 201 12th Ave S, 203 12th Ave S, 207 12th Ave S, 205 12th Ave S, 1206 Laurel Street, 1212 Laurel Street, and 1214 A Laurel Street, Nashville, TN.

TO HAVE AND TO HOLD the said tracts or parcels of land, with the appurtenances, estate, title and interest thereto belonging to said Grantee, its successors and/or assigns, forever; and we do further covenant and bind ourselves, our heirs and assigns, to specially warrant and forever defend the title to said land to said Grantee, its successors and/or assigns, against the lawful claims of all persons claiming by, through or under said Grantor, but not otherwise, and the use of any gender shall be applicable to all genders.

WITNESS our hands this 14th day of February, 2006.

James R. Pickel, Jr.

Haden H. Pickel by James R. Pickel, Jr. attorney in fact
Haden H. Pickel

By: James R. Pickel, Jr.
James R. Pickel, Jr., attorney in fact

William M. Derryberry
William M. Derryberry

James R. Pickel, Jr. Trustee for Harold Harris Pickel
James R. Pickel, Jr., Trustee for Harold Harris Pickel

James R. Pickel, Jr. Trustee for James Rees Pickel III
James R. Pickel, Jr., Trustee for James Rees Pickel, III

Patricia Derryberry P.P.D. 1/01 WMD
Patricia Derryberry, Trustee for DeAnna Derryberry ~~HARPER~~

Patricia Derryberry
Patricia Derryberry, Trustee for William Rees Derryberry

PICKEL, DERRYBERRY & DERRYBERRY,
a Tennessee partnership

By: James R. Pickel, Jr.
Jimmy R. Pickel, Jr., Partner

By: William M. Derryberry
William M. Derryberry, Partner

By: Patricia P. Derryberry
Patricia P. Derryberry, Partner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **JAMES R. PICKEL, JR.**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14th day of February, 2006.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **JAMES R. PICKEL, JR**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Attorney in Fact, of the maker or a constituent of 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 14 day of February, 2006.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **WILLIAM M. DERRYBERRY**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14th day of February, 2006.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **JAMES R. PICKEL, JR., TRUSTEE FOR HAROLD HARRIS PICKEL**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand at office, this 14 day of February, 2006.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **JAMES R. PICKEL, JR., TRUSTEE FOR JAMES REES PICKEL, III**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14th day of February, 2006.

Notary Public

My Commission Expires: My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **PATRICIA DERRYBERRY, TRUSTEE FOR DEANNA DERRYBERRY**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14th day of February, 2006.

Notary Public

My Commission Expires: My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **PATRICIA DERRYBERRY, TRUSTEE FOR WILLIAM REES DERRYBERRY**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14 day of February, 2006.

Notary Public

My Commission Expires: My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **JIMMY R. PICKEL, JR**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Partner, of the maker or a constituent of 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 14 day of February, 2006.

ERLENE LEE HAMLIN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **WILLIAM M. DERRYBERRY**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Partner, of the maker or a constituent of 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 14 day of February, 2006.

ERLENE LEE HAMLIN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **PATRICIA P. DERRYBERRY**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained, and who further acknowledged that she is the Partner, of the maker or a constituent of 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 14 day of February, 2006.

ERLENE LEE HAMLIN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007