LAND A. 318
1st

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (DMS)
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001

SPECIAL WARRANTY DEED

Address New Owner(s)	Send Tax Bills To:	Map-Parcel Number(s)
Novogroder/Nashville, LLC c/o The Novogroder Companies, Inc., John Hancock Center 875 North Michigan Ave. Chicago, IL 60611	Same	147-3/55

FOR AND IN CONSIDERATION OF THE SUM OF TEN ($10.00) DOLLARS, and other good and valuable consideration, receipt of all of which is hereby acknowledged, HARDING PLACE, LLC, a Delaware limited liability company ("Grantor"), has this day bargained and sold, and does hereby transfer and convey, unto NOVOGRODER/NASHVILLE, LLC, an Indiana limited liability company ("Grantee"), certain real property in Davidson County, Tennessee, as more particularly described on Exhibit A attached hereto.

TO HAVE AND TO HOLD the said real property, together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining, to Grantee and its successors and assigns forever, subject, however, to the matters set forth on Exhibit B attached hereto.

GRANTOR covenants and binds itself and its successors to warrant specially and forever defend the title to said real estate to Grantee and its successors and assigns against the lawful claims of all persons claiming through and under Grantor (except with respect to those matters set forth on Exhibit B), but not further or otherwise.

[The remainder of this page has been intentionally left blank.]

Davidson County DEEDWARR
Recvd: 06/09/06 15:50 5 pgs
Fees:28.00 Taxes:7030.00
20060609-0069077

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the ~~17th~~ 8th day of ~~May~~ June, 2006.

HARDING PLACE, LLC, a Delaware limited liability company

By Regency Realty Group, Inc., a Florida corporation, its manager

By: _____
Name: William E Coats
Title: Vice President

STATE OF Georgia)

COUNTY OF Fulton)

Personally appeared before me, the undersigned, a Notary Public, William E. Coats, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is Vice President of Regency Realty Group, Inc., a Florida corporation that is the manager of Harding Place, LLC, a Delaware limited liability company, and he, as its Vice President is authorized by the corporation, the corporation being authorized by the limited liability company, to execute this instrument on behalf of the corporation in its capacity as manager of said limited liability company.

WITNESS my hand, at office, this 16th day of May, 2006.

_____
Notary Public

My Commission Expires: Sept. 30, 2008

KATIE HODGE NOTARY PUBLIC GEORGIA EXPIRES SEPT. 30, 2008 COBB COUNTY

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value (whichever is greater) for this transfer is $1,900,000.00.

Affiant

Subscribed and sworn to before me, this 8th day of ~~May~~ June, 2006.

Notary Public

My Commission Expires: 3/20/10

MARY JAN DIONNE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

EXHIBIT A

[Property Description]

Land in Davidson County, Tennessee, being Lot No. 4 on the plan of Harding Mall Outlots, as shown on the final plat of record at Instrument No. 20050803-0091049 and Instrument No. 20050728-0088578, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Being a portion of the same property conveyed to Harding Place, LLC, a Delaware limited liability company, by Deed of record at Instrument No. 20050211-0016144, Register's Office for Davidson County, Tennessee.

Together with (1) that certain Cross-Access Easement agreement dated September 21, 1993, of record in Book 9087, page 101, as re-recorded in Book 9100, page 929 and First Amendment recorded in Book 9776, page 984, in the Register's Office for Davidson County, Tennessee, and (2) Easements with Covenants and Restrictions Affecting Land of record at Instrument No. 20060310-0028257.

EXHIBIT B

[Permitted Encumbrances]

1. Real estate taxes for the year 2006, a lien not yet due and payable.

2. Plats of record at Instrument Nos. 20050728-0088578 and 20050803-0091049.

3. Cross-Easement Agreement as of record in Book 9087, page 101, re-recorded in Book 9100, page 929 as amended in Book 9776, page 984.

4. Underground Utility Easement to the Metropolitan Government of Nashville and Davidson County, acting by and through the Electric Power Board, as set forth in instrument recorded in Book 8120, page 513.

5. Terms and Conditions of Short Form Lease from Seven Mile Creel, L.P. to IHOP Properties, Inc., a short form of which is recorded in Book 9687, page 772. Said Lease having been subsequently amended and assigned and is further subject to the terms and conditions of a Memorandum of Sublease by and between CFRA, Inc. Sublessee, and IHOP Properties, Inc., Sublessor, as recorded at Instrument No. 20050517-0055150.

6. Declaration of Easements, Covenants, Conditions and Restrictions as set forth at Instrument No. 20060310-0028257.