Davidson County DEEDWARR
Recvd: 07/21/06 13:05 3 pgs
Fees:18.00 Taxes:12765.00
20060721-0088228

1st

WARRANTY DEED

PREPARED BY:

CURTIS M. LINCOLN
Attorney at Law
115 Hazel Path Drive
Suite #1, Westover Building
Hendersonville, TN 37075
822-0030

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is $3,450,000.00.

Affiant

Sworn to and subscribed before me on this the 20 day of July, 2006.

NOTARY PUBLIC
My Commission Expires: 10-1

PAMELA B. HAMPTON NOTARY PUBLIC AT LARGE CHEATHAM COUNTY, TN My Comm Exp Oct 16, 2007

MORTGAGEE:

CWCAPITAL LLC
One Charles River Place
63 Kendrick Street
Needham, MA 02494

Address New Owner:	Send Tax Bills to:	Map-Parcel
Rothwood Avenue, LLC	Same as Owner	052-06-0 106.00
600 Rothwood Avenue		
Madison, TN 37115		

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS ($10.00), cash in hand paid by the hereinafter named GRANTEES and other good and valuable consideration the receipt of which is hereby acknowledged, (I/WE), **ROTHWOOD GROUP, INC., a Tennessee Corporation**, hereinafter called the GRANTORS, have bargained and sold and by these presents, do transfer and convey unto **ROTHWOOD AVENUE, LLC, a Tennessee Limited Liability Company**, hereinafter called GRANTEES, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

A tract of land in the Second Civil District of Metropolitan Nashville, Davidson County, TN, being part of Lot Nos 25, 26, 27, 28, 31, 32, 33 and 34 on the Plan of the H. B. Caldwell Tract as of record in Plat Book 421, Page 61, Register's Office for Davidson County, TN, and being more particularly described as follows:

BEGINNING at an iron pin set at the Southerly end of the Southeasterly return curve at the intersection of Rothwood Avenue (a 50-foot right-of-way) and Geisen Drive (a 50-foot right-of-way, unimproved this date); thence Northeastwardly with said return curve and a 25.00-foot radius curve to the right, a distance of 39.97 feet to an iron pin set, said curve having a chord bearing and distance of North 54 deg. 55 min. 44 sec. East 35.85 feet; thence with the Southerly right-of-way line of Rothwood Avenue and a 1031.64 foot radius curve to the left, a distance of 119.73 feet to an iron pin set, said curve having a chord bearing and distance of South 82 deg. 35 min. 37 sec. East 119.66 feet; thence South 85 deg. 55 min. 07 sec. East a distance of 16.37 feet to a PK nail set in asphalt; thence with a 1201.23 foot radius curve to the right, a distance of 146.76 feet to an iron pin set, said curve having a chord bearing and distance of South 82 deg. 25 min. 08 sec. East 146.67 feet, said pin also being the Northwesterly property corner of a tract of land conveyed to Floyd F. Porter, et ux. by Deed of record in Book 4518, Page 424, RODC, TN; thence leaving said right-of-way line with the Westerly property line of Floyd F. Porter, et ux South 9 deg. 06 min. 50 sec. West a distance of 234.79 feet to an existing metal fence post; thence with the Southerly property line of Floyd F. Porter, et ux., in part South 80 deg. 55 min. 07 sec. East a distance of 139.92 feet to an existing metal fence post, said post being the Northwesterly property corner of a tract of land conveyed to Sue N. Burrow by deed of record in Book 4208, Page 160, RODC, TN; thence leaving the Southerly property line of Floyd F. Porter, et ux. with the Westerly property line of Sue N. Burrow, a tract of land conveyed to Paul E. Phillips, et ux. by Deed of record in Book 6721, Page 68, RODC, TN, and a tract of land

conveyed to Robert W. Zulewski, et ux. by Deed of record in Book 5466, Page 394, RODC, TN, South 9 deg. 15 min. 40 sec. West, a distance of 329.84 feet to an existing iron pin in the Northerly property line of a tract of land conveyed to Richard A. Hooper, Jr., et ux. by Deed of record in Book 6878,
Page 64, RODC, TN; thence with the Northerly property line of Richard A. Hooper, Jr., et ux. in part, North 82 deg. 18 min. 44 sec. West, a distance of 101.67 feet to an existing iron pin; thence with the Westerly property line of Richard A. Hooper, Jr., et ux., in part, South 9 deg. 30 min. 15 sec. West, a distance of 224.73 feet to an existing iron pin, said pin being the Northeasterly property corner of a tract of land conveyed to Louise E. Fleming by Deed of record in Book 1303, Page 158, RODC, TN; thence leaving the Westerly property line of Richard A. Hooper, Jr., et ux. with the Northwesterly property line of Louise E. Fleming South 75 deg. 50 min. 50 sec. West a distance of 257.11 feet to an iron pin set; thence continuing with the Northwesterly property line of Louise E. Fleming and a surface drain, South 50 deg. 04 min. 12 sec. West a distance of 202.41 feet to an existing iron pin in the centerline of Geisen Drive; thence leaving the Northwesterly property line of Louise E. Fleming with the centerline of Geisen Drive North 9 deg. 6 min. East a distance of 1038.74 feet to an iron pin set; thence leaving the centerline of Geisen Drive with a new line South 79 deg. 16 min. 07 sec. East a distance of 25.00 feet to an iron pin set in the Easterly right-of-way line of Geisen Drive; thence with said right-of-way line
South 9 deg. 05 min. 58 sec. West a distance of 25.71 feet to the point of beginning and containing 352,172 square feet or 8.085 acres, more or less.

BEING the same property conveyed to ROTHWOOD GROUP, INC., a Tennessee Corporation by Special Warranty Deed executed by THE ROTHWOOD INVESTMENT GROUP, LTD., a Tennessee Limited Partnership dated May 11, 1989, and recorded in Book 7838, Page 864, Register's Office for Davidson County, TN.

Subject to the Following:

1. Plan of record in Book 421, Page 61, said Register's Office.

2. Easement for sanitary sewers and/or storm drainage of record in Book 4337, Page 835, said Register's Office.

3. Title to that portion of the premises embraced within the rights-of-way of Rothwood Avenue and Geisen Drive, including that property conveyed to Metro-Nashville Davidson County in Book 4346, Page 462, said Register's Office.

4. Easement for flow of creek.

This is improved property known as 600 Rothwood Avenue, Madison, TN 37115 and further known as The Rothwood Apartments.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, title and interest thereto belonging to the said GRANTEES, their heirs and assigns, forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out, and we do further covenant and bind ourselves, our heirs, and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. 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.

WITNESS (my/our) hand(s) this the 20th day of July, 2006, the corporate party, if any, having caused its name to be signed hereto by its duly authorized officers on said day and date.

ROTHWOOD GROUP, INC.

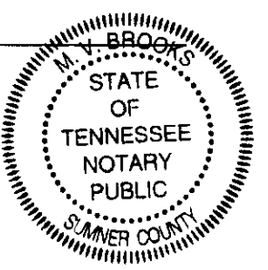
By: Carter A. Howard
Carter A. Howard, President

STATE OF TENNESSEE
COUNTY OF SUMNER

BEFORE ME, undersigned, a Notary Public of the State and County aforesaid, personally appeared Carter A. Howard with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and who, upon oath, acknowledged himself/herself to be President or other officer authorized to execute the instrument of the Rothwood Group, Inc., the within named bargainor, a corporation, and that Carter A. Howard, as such President executed the foregoing instrument for the purposes contained, by signing the name of the corporation by himself/herself as President.

WITNESS my hand and official seal at Hendersonville, Tennessee, this the 20 day of July, 2006.

M.V. Brooks
NOTARY PUBLIC



My commission expires: 05/12/09