31-B
BBS

Davidson County DEEDWARR
Recvd: 08/24/06 14:53 4 pgs
Fees:23.00 Taxes:1905.50
20060824-0104772

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238

SPECIAL WARRANTY DEED

Address New Owner(s)	Send Tax Bills To:	Map-Parcel Number(s)
Black Bear Capital, LLC c/o C & D Investors 689 Davidson Street Nashville, TN 37213	Same	Map 106-3 Parcel 29

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, **THOMAS A. SWANN, JR., and wife BARBARA H. SWANN** ("Grantors"), has this day bargained and sold, and does hereby transfer and convey unto **BLACK BEAR CAPITAL, LLC**, a Tennessee limited liability company ("Grantee"), certain real property in Davidson County, Tennessee, described as follows:

LAND lying in Davidson County, Tennessee, being more particularly described as follows:

Being Lot No. 5 on the Plan of Spence Lane Industrial Subdivision, Section Two, as of record in Book 3842, page 36, Register's Office for said County.

Said Lot No. 5 fronts 100 feet on the westerly side of Spence Lane, extends back 433.5 feet on the northerly line and 468.3 feet on the southerly line to a broken line in the rear on which it measures 142.2 feet.

Being the same property conveyed to Grantors by Deed of record in Book 5310, page 255, Register's Office for Davidson County, Tennessee.

The source of this description is the prior deed.

This is improved property known as 417 Spence Lane, Nashville, Tennessee.

TO HAVE AND TO HOLD the said real property together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining to Grantee, its successors and assigns, forever.

GRANTORS covenant and bind themselves, their heirs, representatives and assigns to warrant specially and forever defend the title to said real estate to Grantee, its successors and assigns, against the lawful claims of all persons claiming through and under Grantors (other than claims arising out of the matters set forth on Exhibit A), but not further or otherwise.

As used herein, the singular number shall include the plural, and the masculine gender all other genders.

IN WITNESS WHEREOF, Grantors have executed this instrument on this _____ day of August, 2006.

Homer A Swann Jr
THOMAS A. SWANN, JR.

Barbara H. Swann
BARBARA H. SWANN

STATE OF TENNESSEE)

COUNTY OF Davidson)

Personally appeared before me, the undersigned, a Notary Public, Thomas A. Swann, 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 ____ day of August, 2006.

LAURA LINCOLN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY COMMISSION EXPIRES NOVEMBER 22, 2008

Laura Lincoln
Notary Public

My Commission Expires:_____

STATE OF TENNESSEE)

COUNTY OF Davidson)

Personally appeared before me, the undersigned, a Notary Public, Barbara H. Swann, 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 ____ day of August, 2006.

LAURA LINCOLN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY COMMISSION EXPIRES NOVEMBER 22, 2008

Laura Lincoln
Notary Public

My Commission Expires:_____

STATE OF TENNESSEE)

COUNTY OF Davidson)

The actual consideration or value (whichever is greater) for this transfer is $515,000.00.

Affiant

Subscribed and sworn to before me, this ____ day of August, 2006.

Notary Public

My Commission Expires:_____

LAURA LINCOLN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
COMMISSION EXPIRES NOVEMBER 22, 2008

EXHIBIT A

Permitted exceptions

1. Taxes for the 2006, a lien, not yet due and payable (Tax Parcel # 106-3/29).

2. All matters shown on Plat recorded in Book 3842, page 36, Register's Office for Davidson County, Tennessee.