Davidson County DEEDWARR
Recvd: 09/28/06 16:15 6 pgs
Fees:32.00 Taxes:27824.00
20060928-0120377

SPECIAL WARRANTY DEED

Instrument Prepared by:	Owner/Responsible Taxpayer
Paul J. Goldman Segel, Goldman, Mazzotta & Siegel, P.C. 9 Washington Square Albany, New York 12205	HICKORY CREEK APARTMENTS, LLC c/o CUNAT 5400 West Elm Street, Suite 110 McHenry, Illinois 60050
After Recording Return To:	Source of Grantor's Title:
Mr. Kevin W. White, Director of Acquisitions CUNAT 5400 West Elm Street, Suite 110 McHenry, Illinois 60050	Deed recorded ~~in Book _____, Page~~ at Instrument No. 20010213-0017243 in the Davidson County Register's Office
	Tax Parcel Map No. 120-1, Parcel 133

I, or we, hereby swear or affirm that the actual consideration or value, whichever is greater, for the transfer is $7,520,000.

Affiant

Subscribed and sworn to before me this
19th day of September, 2006.

Notary Public
My commission expires: 6/9/2009

PAUL GOLDMAN
Notary Public, State of New York
No. 4864023
Qualified in Albany County
Commission Expires 6/9/2009

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

THIS SPECIAL WARRANTY DEED, made as of September 18, 2006, by and between **NORMAN MASSRY AND MORRIS MASSRY**, each with an address for the transaction of business c/o Tri-City Rentals, 255 Washington Avenue Extension, Albany, New York 12205, **AS TO THE FEE INTEREST, AND E.B. REALTY OF ALBANY, L.L.C.,** a New York limited liability company with an address for the transaction of business c/o Tri-City Rentals, 255 Washington Avenue Extension, Albany, New York 12205 **AS TO THE LEASEHOLD INTEREST** (collectively, hereinafter called the "Grantor"), and **HICKORY CREEK APARTMENTS, LLC**, a Delaware limited liability company with an address for the transaction of business c/o CUNAT, Inc., 5400 West Elm Street, Suite 110, McHenry, Illinois 60050 (hereinafter called the "Grantee");

WITNESSETH:

That the Grantor, for and in consideration of the sum of $10.00, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains and sells to the Grantee, its successors and assigns forever, the following described land, situate, lying and being in the County of Davidson, State of Tennessee, described as follows, to wit:

Land located in the 13th Councilmanic District of Nashville, Davidson County, Tennessee on the northerly margin of Vultee Boulevard and described according to an ALTA / ASCM LAND TITLE SURVEY dated 7-31-06 by Campbell, McRae and Associates Surveying, Inc. (John Hood TN.R.L.S. No. 1838) as follows:

BEGINNING a an iron rod (old) in the northerly margin of Vultee Boulevard, said Rod being S 89° 52' 10" W 296.11 feet from the southwest corner of Miro Meadows Subdivision (Book 1424, page 95, R.O.D.C., TN.);

THENCE with the northerly margin of Vultee Boulevard, N 81° 20' 31" W 198.72 feet to an iron rod (old);

THENCE N 73° 44' 54" W 144.30 feet to an iron rod (old), the southeast corner of Urban Housing Solutions, Inc. (Instrument #20021227-0159463 R.O.D.C., TN.);

THENCE leaving Vultee Boulevard N 3° 57' 45" W 644.58 feet to an iron rod (new) in the south line of Crestview, Ltd. (Book 6194, Page 922 R.O.D.C., TN.);

THENCE N 88° 30' 36" E 193.84 feet to an iron rod (new) in the south line of Bellicose Property Development (Instrument #20041124--0140685 R.O.D.C., TN.);

THENCE N 88° 58' 36" E 516.74 feet with the south line of Four Maples Condominium (Book 5200, Page 283 R.O.D.C., TN.) and Jane C. Holler (Instrument #20040916-0111578 R.O.D.C., TN.), to and iron rod (old);

THENCE with the westerly line of Malcolm L. Barrett, Sr. (Book 10680, page 534 R.O.D.C., TN.) and Margarita P. Robbins (Book 6604, Page 176 R.O.D.C., TN.) S 02° 52' 43" W 502.13 feet to an iron rod (old);

THENCE with the northerly line of Yemane Woldeslassie and Hagosa Woldeslassie (Instrument #20050413-0041239 R.O.D.C., TN.) N 89° 16' 43" W 302.07 feet to an iron rod (old);

THENCE S 00° 54' 16" W 229.95 feet to the point of beginning, and containing 9.27 acres, more or less.

AS TO THE FEE: BEING THE SAME PREMISES conveyed to Cameo Estates, a New York general partnership and Morris Massry, as tenants in common, with the interest of Cameo Estates being 66 2/3% and the interest of Morris Massry being 33 1/3%, by warranty deed from Leland R. Speed, as Managing Trustee of EastGroup Properties, a Maryland Real Estate Investment Trust of record in Book 7514, Page 423, Register's Office for Davidson County, Tennessee. Cameo Estates, a New York general partnership, conveyed its 66 2/3% interest to Morris Massry and Norman Massry, as tenants in common, with the interest of Norman Massry being a 50% undivided interest and the interest of Morris Massry being a 16⅔% undivided interest, of record in Instrument Number 20010223-0017243, said Register's Office, resulting in each of the grantees having a 50% undivided interest in the property.

AS TO THE LEASEHOLD: BEING THE SAME PREMISES demised to The Williamsburg Corporation by Memorandum of Lease from Arthur W. Viner, Paul P. Swett and Miles L. Colean as Trustees under declaration of trust dated as of January 15, 1969, establishing Second ICM Realty, a business trust, of record in Book 4358, page 212, Register's Office of Davidson County, Tennessee, said leasehold interest being assigned to Sidney Albert and Irving Kirsch, co-partners doing business under the firm name of E. B. Realty, by Assignment of Lease of record in Book 4358, page 215, said Register's Office. The said E. B. Realty now being E. B. Realty of Albany, L.L.C., pursuant to Certificate of Conversion of record as Instrument no. 20060907-0110452 said Register's Office.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the Grantee, its heirs, successors and assigns forever. The Grantor covenants that itsis lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except for those encumbrances set forth herein.

THAT THE GRANTOR FURTHER covenants and binds, together with its heirs, successors and assigns, to warrant and forever defend the title to said real estate to said Grantee, its heirs, successors and assigns, against the lawful claims of all persons, claiming by, through or under the Grantor.

THIS CONVEYANCE is made subject to:

1) All unpaid ad valorem taxes.

2) Agreement for Dedication of Sanitary Sewer and/or Storm Drainage, of record in Book 4211, page 267, Register's Office for Davidson County, Tennessee.

3) Memorandum of Lease between E. B. Realty and Network MultiFamily Corporation of record at Instrument No. 200211~~1~~03-0029809, said Register's Office.

4) All other matters of record.

This is improved property, known as 1150 Vultee Boulevard.

SUBJECT to all covenants, restrictions, easements, mortgages, and conditions of record, and subject also to any other matters of record.

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed in its name on the date set forth in the acknowledgement below but to be effective for all purposes as of the date first above written.

	GRANTOR:
Witnesses: Print Name: Paul Goldman Print Name: Paul Goldman Print Name: Paul Goldman	**NORMAN MASSRY** **MORRIS MASSRY** **E. B. REALTY OF ALBANY, L.L.C.,** a New York limited liability company successor in interest by conversion to E. B. Realty, a New York general partnership By: Norman Massry, Member

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

On this 19th day of September, 2006, before me the undersigned, a Notary Public in and for said State, personally appeared NORMAN MASSRY AND MORRIS MASSRY personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or entity upon behalf of which the individuals acted, executed the instrument.

Notary Public

PAUL GOLDMAN
Notary Public, State of New York
No. 4864023
Qualified in Albany County
Commission Expires 6/9/2009

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

Before me, Paul J. Goldman, a Notary public of the State and County aforesaid, personally appeared NORMAN MASSRY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a member of E. B. Realty of Albany, L.L.C., the within Grantor, and that he as such member being authorized to do so, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as such member.

Witness my hand and official seal, at office in Albany, New York, this 19th day of September, 2006.

Notary Public

My commission expires June 9, 2009.

PAUL GOLDMAN
Notary Public, State of New York
No. 4864023
Qualified in Albany County
Commission Expires 06/09/2009