BWSYB

This Instrument Prepared By:
David B. Gray, Esq.
HIX & GRAY, PLC
1620 AmSouth Center
315 Deaderick Street
Nashville, Tennessee 37238-1620

Davidson County DEEDWARR
Recvd: 11/15/06 15:11 5 pg
Fees:28.00 Taxes:7585.00
20061115-0142071

Address New Owner(s)	Send Tax Bills To:	Map & Parcel Nos.:
Brauvin Net Capital, LLC **30 North LaSalle Street** **Suite 3100** **Chicago, Illinois 60602**	**New Owner**	**Map 163** **Parcel 281**

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Two Million Fifty Thousand and No/100 Dollars ($2,050,000.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **The R.C. Whiteaker Family Limited Partnership**, (herein referred to as "Grantor") has this day bargained and sold and, by these presents, does hereby transfer and convey unto **Brauvin Net Capital, LLC**, a Delaware limited liability company (herein referred to as "Grantee"), its successors and assigns forever, in fee simple, the tract or parcel of land located in the City of Antioch, County of Davidson, State of Tennessee and more commonly known as 5312 Hickory Hollow Lane, Antioch, TN, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference (the "Property"), together with (i) all improvements owned by Grantor and located thereon, (ii) all rights, privileges, easements and appurtenances owned by Grantor appertaining to the Property, and (iii) all right, title and interest of Grantor (if any) in, to and under adjoining streets, rights of way and easements, SUBJECT TO (a) all building codes and other applicable laws, ordinances and governmental

regulations affecting the Property, (b) all matters that a current and accurate ALTA survey of the Property would disclose, and (c) all matters identified in Exhibit B attached hereto and incorporated herein by reference (collectively, the "Permitted Encumbrances").

Notwithstanding any warranty which may otherwise be implied from the use of any word, phrase or clause herein, Grantor warrants title to the Property free and clear of all monetary encumbrances other than taxes and assessments not yet due and payable, subject to the specific matters set forth above and the Permitted Encumbrances, only against its own acts, but not the acts of any others.

ALL warranties and covenants of Grantor herein contained are expressly limited to those persons or parties claiming by, through or under Grantor, but no further or otherwise.

IN WITNESS WHEREOF, Grantor has caused its duly authorized representatives to execute this instrument as of the date hereinafter written.

GRANTOR:

The R.C. Whiteaker Family Limited Partnership

By: Raymond C. Whiteaker

Raymond C. Whiteaker, General Partner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $2,050,000.00.

Raymond C. Whiteaker
AFFIANT

Subscribed and sworn to before me, this 15th day of November, 2006.

D. B. Gray
NOTARY PUBLIC

My Commission Expires:
1/26/08

DAVID B. GRAY
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, a Notary Public of the State and County aforesaid, personally appeared Raymond C. Whiteaker, 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 General Partner of The R.C. Whiteaker Family Limited Partnership, the within named bargainor, a Limited Partnership, and that he, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as General Partner.

WITNESS my hand and seal, this 15th day of November, 2006.

D. B. Gray
NOTARY PUBLIC

My Commission Expires:
1/26/08

DAVID B. GRAY
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

EXHIBIT "A"

(Legal Description)

Land located in the thirty-second councilmanic district of Nashville, Davidson County, Tennessee at Hickory Hollow Lane and Bell Road, being Lot K5 on the final plat of Section Fourteen, Hickory Hollow Mall, of record in Plat Book 5190, page 604, R.O.D.C. and being more particularly described as follows:

Beginning at an iron rod in the easterly right-of-way of Hickory Hollow Lane, said iron rod being approximately 458 feet southwesterly from the centerline of Bell Road and being a southwesterly corner of Lot K4 on the abovementioned Section Fourteen, Hickory Hollow Mall;

Thence with the boundary of said Lot K4 S 63 deg. 40' 00" E, 301.23 feet to an iron rod in the westerly boundary of Lot 3 on the final plat of Resubdivision Lot No. 3, Bell Forge West of record in Plat Book 6250, page 737, R.O.D.C.;

Thence with the boundary of said Lot 3 S 25 deg. 10' 00" W, 254.94 feet to an iron rod at a northeasterly corner of Lot K-3 on the final plat of Resubdivision of Lot K-3, Section 6 of Hickory Hollow Mall of record in Plat Book 6200, page 722, R.O.D.C.;

Thence with the boundary of said Lot K-3 as follows:
N 58 deg. 45' 00" W, 354.97 feet to an iron rod; N 24 deg. 30' 00" W, 105.15 feet to a concrete monument in the easterly right-of-way of Hickory Hollow Lane;

Thence with said right-of-way N 65 deg. 30' 00" E, 203.85 feet to the beginning, containing 89,519 square feet or 2.055 acres, more or less, as shown on ALTA/ACSM Land Title Survey of the R.C. Whiteaker Family L.P. property, prepared by John M. Duffer, R.L.S. No. 1431, Barge Waggoner Sumner & Cannon, Inc., 211 Commerce Street, Suite 600, Nashville, Tennessee 37201, File No. 33225-00, updated and reissued on November 8, 2006.

Being the same property conveyed to Raymond C. Whiteaker by deed from MAP, LTD., a Tennessee Limited Partnership, of record in Book 9910, page 719, Register's Office for Davidson County, Tennessee, and further conveyed to The R.C. Whiteaker Family Limited Partnership, by Quitclaim Deed of record as Instrument No. 20040510-0053249, Register's Office for Davidson County, Tennessee, and re-recorded as Instrument No. 20040820-0101227, said Register's Office.

Exhibit "B"
(Permitted Encumbrances)

1. Taxes for the year 2007 and subsequent years, a lien, but not yet due or payable.
2. Subject to all matters as shown on subdivision plan of record in Book 5190, page 604, Register's Office for Davidson County, Tennessee.
3. Covenants, conditions and restrictions as set forth in instrument of record in Book 5125, page 769, as amended by instruments of record in Book 5189, page 947 and Book 5337, page 933, Register's Office for Davidson County, Tennessee.
4. Covenants, conditions and restrictions as set forth in instrument of record in Book 5441, page 968, as amended by instruments of record in Book 5792, page 491; Book 5951, page 26 and Book 6011, page 163, Register's Office for Davidson County, Tennessee.
5. Easement granted to Gulf Interstate Gas Company of record in Book 2243, page 635, Register's Office for Davidson County, Tennessee.
6. Right of Way and Easement granted to Columbia Gulf Transmission Company of record in Book 4457, page 373 and modified by instrument of record in Book 4629, page 150, Register's Office for Davidson County, Tennessee.
7. Agreement executed by and between MAP, LTD., and Columbia Gulf Transmission Company of record in Book 5979, page 289, Register's Office for Davidson County, Tennessee.
8. Easement for Detention Pond of record in Book 6301, page 771, Register's Office for Davidson County, Tennessee.
9. Unrecorded Lease dated February 16, 1987, executed by and between MAP, LTD., and Brock Hotel Corporation, Inc., as amended by Modification and Extension of Lease Agreement dated July 12, 1995, executed by and between MAP, LTD., and Showbiz Pizza Time, Inc. Assignment and Assumption Agreement of said Lease by and between MAP, LTD., and Raymond C. Whiteaker, of record in Book 9910, page 775, Register's Office for Davidson County, Tennessee and Assignment and Assumption Agreement by and between The R.C. Whiteaker Family Limited Partnership and Brauvin Net Capital, LLC, a Delaware limited liability corporation, executed simultaneously herewith.
10. Subject to the matters described in numbered paragraph 6 in the Deed of record in Book 5964, page 969, Register's Office for Davidson County, Tennessee.
11. Subject to all matters as shown on ALTA/ACSM Land Title Survey of the R.C. Whiteaker Family L.P. property, prepared by John M. Duffer, R.L.S. No. 1431, Barge, Waggoner, Sumner & Cannon, Inc., 211 Commerce Street, Suite 600, Nashville, Tennessee 37201, File No. 33225-00, updated and reissued on November 8, 2006.