Davidson County DEEDWARR
Recvd: 12/07/06 10:02 4 pgs
Fees:23.00 Taxes:7751.50

20061207-0151292

Prepared by: J.CraigKiser
1500 Renaissance Plaza| 230NorthElmStreet
Greensboro, North Carolina 27401

06-50058

SPECIAL WARRANTY DEED

ADDRESS NEW OWNER(s) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBERS
ARCITERRA MW NASHVILLE TN, LLC	Same as New Owner	
2720 E. Camelback Road, Suite 220	(NAME)	34-02-49
Phoenix, Arizona 85016	(STREET ADDRESS)	
	(CITY) (STATE) (ZIP)	

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid by the Grantee(s) and other good and valuable considerations accepted as cash, the receipt and sufficiency of which is hereby acknowledged, WAREHOUSE PROPERTIES, G.P., a Tennessee general partnership (f/k/a Men's Wearhouse Properties, G.P.) has this day bargained and sold, and does hereby transfer and convey unto the said ARCITERRA MW NASHVILLE TN, LLC, an Arizona limited liability company, the Grantees herein, their (successors), heirs and assigns, certain real estate in Davidson County, Tennessee as follows:

See Exhibit A attached hereto

STATE OF
COUNTY OF DAVIDSON The actual consideration or value whichever is greater, for this transfer is $2,095,000.00

Subscribed and sworn to before me this the 4th day of December 2006

Affiant

Notary Public

My commission expires:
3-2-2009

(Affix Seal)

This is improved property, known as the Men's Wearhouse Plaza, 1921 Gallatin Pike, Nashville, TN.

TO HAVE AND TO HOLD said real estate, with the appurtenance, estate, title and interest thereto belonging, to the Grantees their (successors), heirs and assigns forever. We covenant that we are lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered, except for the following:

54673 GTR

See Exhibit B attached hereto.

We further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to said real estate to said Grantees, their (successors), heirs and assigns, against the lawful claims of all persons, claiming by, through or under the Grantor.

Whenever 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 our hand this 1st day of Dec, 2006, the corporate party, if any, having caused its name to be signed hereto by its duly authorized officers on said day and date.

GRANTOR:

WAREHOUSE PROPERTIES, G.P.,
a Tennessee general partnership

By: Stv. Bell
Steven D. Bell, general patner

STATE OF NC
COUNTY OF GUILFORD

Personally appeared before me, SHERI L. BUNKER, a Notary Public in and for said County and State, Steven D. Bell, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged Steven D. Bell is a general partner of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office in GREENSBORO, NC, this 1st day of DECEMBER 2006

Sheri L. Bunker
Notary Public

My Commission Expires: 11/19/07

SHERI L. BUNKER NOTARY PUBLIC GUILFORD COUNTY, NC

EXHIBIT "A"

LAND LYING IN DAVIDSON COUNTY, TENNESSEE, LOCATED AT 1921 GALLATIN PIKE, MADISON, TENNESSEE BEING TAX PARCEL # 34-02-49, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT NO. 2 OF REVISION TO RESUBDIVISION OF LOT 2, SHEPHERD HILLS, SECTION ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9700 PAGE 982, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING ON AN IRON PIN (OLD) IN THE SOUTHERLY RIGHT OF WAY OF GALLATIN PIKE AT THE NORTHEAST CORNER OF SANTA FE REALTY PARTNERS, PROPERTY (DB 11535 PG102);

THENCE, WITH SAID RIGHT OF WAY OF GALLATIN PIKE FOR THE FOLLOWING 2 CALLS:

N 57 DEGREES 06'50" E - 73.71' TO AN IRON PIN (OLD);
WITH A CURVE TO THE LEFT HAVING A DELTA OF 00 DEGREES 31' 43", A RADIUS OF 2,929.00', AN ARC LENGTH
OF 27.03', AND A CHORD BEARING AND DISTANCE OF N 56 DEGREES 48' 35" E - 27.03' TO AN IRON PIN
(OLD) AT THE SOUTHWEST INTERSECTION OF GALLATIN PIKE AND SHEPHERD HILLS DRIVE;

THENCE, WITH A CURVE TO THE RIGHT HAVING A DELTA OF 98 DEGREES 44' 55", A RADIUS OF 25.00', AN ARC
LENGTH OF 43.09', AND A CHORD BEARING AND DISTANCE OF S 74 DEGREES 02' 33" E - 37.95' TO AN IRON
PIN (OLD) IN THE WESTERLY RIGHT OF WAY OF SHEPHERD HILLS DRIVE;

THENCE, WITH SAID RIGHT OF WAY OF SHEPHERD HILLS DRIVE S 24 DEGREES 47' 01" E - 199.45 TO AN
IRON PIN (OLD) IN THE EASTERN MOST LINE OF THE ABOVE REFERENCED SANTA FE REALTY PARTNERS PROPERTY;

THENCE WITH SANTA FE REALTY PARTNERS FOR THE FOLLOWING 2 CALLS:

S 56 DEGREES 05' 49" W - 119.00' TO AN IRON PIN (OLD);
N 27 DEGREES 31' 48" W - 229.00' TOTHE POINT OF BEGINNING.

Being the same property conveyed to MEN'S WEARHOUSE PROPERTIES, G.P, a Tennessee General Partnership, by Deed from PKD Partnership of record as Instrument #20011206-0134690, Register's Office of Davidson County, Tennessee. The said MEN'S WEARHOUSE PROPERTIES, G.P, a Tennessee General Partnership now known as WAREHOUSE PROPERTIES, G.P.

EXHIBIT B

1. Taxes for the year 2006 payable after 10.1.2006 but not delinquent until 3.1.2007. Tax Parcel #34-02-49, none due at date of policy.
2. Anchor easement(s) to Metropolitan Government of Nashville and Davidson County Electric Power Board, as set forth in instrument recorded in Book 9552, page 100, Register's Office of Davidson County, Tennessee.
3. All matters shown on Plat recorded in Plat Book 9700 Page 982 Register's Office of Davidson County, Tennessee.
4. Terms and provisions of unrecorded Lease dated November 16, 1994, between Tennessee Equities, Inc., as landlord, and The Men's Warehouse, Inc. as tenant.
5. Terms and provisions of unrecorded Lease dated January 17, 1995, between Tennessee Equities, Inc., as landlord, and P.D. Estes, Inc., d/b/a Scholtzky's Deli, as tenant.