THIS INSTRUMENT PREPARED BY:
Jennifer L. Johnson, Esq.
JOHN T. COOK, ESQ.
2927 Berry Hill Drive
Nashville, Tennessee 37204

Davidson County DEEDWARR
Recvd: 12/18/06 08:31 4 pgs
Fees:23.00 Taxes:10878.00
20061218-0155147

File No. 20218-4
Davidson County Box
14-A

ADDRESS NEW OWNER AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NOS.
James T. Hearn 109 Woodward Hills Place Brentwood, TN 37027	New Owner	Map 106 Parcel 029

SPECIAL WARRANTY DEED

For and in consideration of the sum of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, JPS Properties, a Tennessee general partnership, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey unto James T. Hearn, hereinafter called the Grantee, his heirs and assigns, certain land in Davidson County, State of Tennessee, described as follows, to-wit:

Being tract of land lying in Nashville, Davidson County, Tennessee, also being Lot 2 of the First Revision, Spartan Industries Shopping Center, Plat Book 5200, Page 152, at the Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

Beginning at an iron rod set at the intersection of the southerly right-of-way line of Foothill Drive, 60 feet in width, an at the westerly right-of-way line of Murfreesboro Pike, 112 feet in width, said iron rod set being located at Northing: 655,134.16; Easting: 1,756,769.56; on the State Plane Coordinate System NAD-83 (1990);

Thence leaving the southerly right-of-way line of Foothill Drive, with the westerly right-of-way line of Murfreesboro Pike, with a curve to the right, along an arc length of 39.16 feet, the chord of which is 89 deg 45 min 10 sec, the radius of which is 25.00 feet, the chord of which is North 89 deg 21 min 13 sec East, 35.28 feet to an existing iron rod;

Thence South 45 deg 46 min 12 sec East, 315.00 feet to an iron rod set, at a corner common with Lot 1 of the First Revision, Spartan Industries Shopping Center, also being the property of Ki Seo & Jae H. Cho, as of record in Instrument Number: 20030520-0068321, at the Register's Office for Davidson County, Tennessee;

Thence leaving the westerly right-of-way line of Murfreesboro Pike, with the northerly property line of said Lot 1, South 44 deg 11 min 24 sec West, 150.00 feet to an existing iron rod;

Thence with the westerly property line of said Lot 1, South 45 deg 47 min 29 sec East, 150.31 feet to an existing iron rod, in the northerly property line of Fallbrook Capital, Inc., as of record in Instrument Number: 20031230-0184202, at the Register's Office for Davidson County, Tennessee;

Thence with the northerly property line of Fallbrook Capital, Inc., South 44 deg 08 min 13 sec West, 188.30 feet to an existing iron rod;

Thence South 45 deg 37 min 53 sec East, 70.35 feet to an existing iron rod;

Thence South 44 deg 11 min 37 sec West, 259.79 feet to an existing iron rod in the easterly property line of Lot 10 of the Plan of the Hill-N-Dale Acres, as of record in Plat Book 2900, Page 34, at the Register's Office for Davidson County, Tennessee, also being the property of Jerome E. Sweeney, Sr., Et Ux, as of record in Instrument Number: 20050210-0015497, at the Register's Office for Davidson County, Tennessee;

Thence with the easterly property line of said Lot 10, North 45 deg 57 min 12 sec West, 559.00 feet to an "X" in concrete, at a corner common with Lot 1 of the said Plan of the Hill-N-Dale Acres, also being the property of Michael J. & Karyn L.Fischer, as of record in Instrument Number: 20040120-0007366, at the Register's Office for Davidson County, Tennessee, also
being the southerly right-of-way line of Foothill Drive;

Thence with the southerly right-of-way line of Foothill Drive, North 44 deg 00 min 24 sec East, 575.10 feet to the POINT OF BEGINNING. Containing 288,954 square feet or 6.634 acres more or less.

Being the same property conveyed to JPS Properties, a Tennessee general partnership whose only partners are Peggy A. Andrews, John N. Andrews, Jr. and Susan S. Andrews by Deed from First American National Bank, formerly known as First American National Bank of Nashville, of record in Book 7971, Page 756, Register's Office for Davidson County, Tennessee.

THIS is improved property, known as 909 and 915 Murfreesboro Pike, Nashville, TN 37217.

TO HAVE AND TO HOLD the said tracts or parcels of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, his heirs and assigns, forever; and Grantor covenants with the said Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered except as set forth on the attached Exhibit "A"; and Grantor does further covenant and bind itself, its successors and assigns, to warrant

and forever defend the title to the said land to the said Grantee, his heirs and assigns, against the lawful claims of all persons claiming by, through, or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its duly authorized representative this 15th day of December, 2006.

JPS PROPERTIES
a Tennessee general partnership

By: _____, General Partner
Peggy A. Andrews, General Partner

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned, a Notary Public, within and for the State and County aforesaid, personally appeared Peggy A. Andrews, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be General Partner of JPS Properties, a Tennessee general partnership, and who further acknowledged that she, as such General Partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing as General Partner for the said general partnership.

WITNESS my hand and official seal at Nashville, Tennessee, this 15 day of December, 2006.

JOHN T. COOK STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY, TENN.

_____
NOTARY PUBLIC

My Commission Expires: 3/22/09

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $2,940,000.00

_____
Affiant

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

_____
Notary Public
My commission expires 3/22/09

JOHN T. COOK STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY, TENN.

EXHIBIT A
Permitted Encumbrances

1. Taxes for the year 2006 and subsequent years not yet due and payable. The 2006 taxes are to be paid by the Tenant in possession.
2. Matters shown on the Plan of record in Book 5200, Page 152, Register's Office for Davidson County, Tennessee.
3. Reciprocal Parking Agreement of record in Book 5344, page 996, amended in Book 5417, page 443, said Register's Office.
4. Rights of tenant in possession, as tenant only, pursuant to unrecorded leases.
5. Matters shown on the Survey by Cherry Land Surveying, Inc., R. Scot Cherry R.L.S. 1512, dated November 22, 2006, revised November 27, 2006.