Davidson County DEEDTRS
Recvd: 01/17/07 15:16 5 pgs
Fees:28.00 Taxes:23310.00
20070117-0007025

FROM: Marc T. McNamee

SUBSTITUTE TRUSTEE

TO: Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3

NEW OWNER

Address New Owner as Follows:	Send Tax Bills To:	Map-Parcel No:
Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3 c/o CWCapital Asset Management LLC 701 13th Street NW Suite 1000 Washington, DC 20005	SAME	#08600018800

This instrument prepared by:

Neal & Harwell, PLC, 150 Fourth Avenue, North, Suite 2000, Nashville, Tennessee 37219

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is **$6,300,000.00**.

Marc T. McNamee, Substitute Trustee
AFFIANT

LISA K. BRIAN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Subscribed and sworn to before me, this the 16th day of January, 2007.

Lisa K. Brian
NOTARY PUBLIC

My Commission Expires: 5/23/2009

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust and Security Agreement dated October 20, 2004, of record as instrument 20041108-0134207, Register's Office for Davidson County, Tennessee, it having been assigned in instrument 20050222-0019310, said Register's Office, collectively hereinafter referred to as "Deed of Trust," White Oaks Hermitage, LLC conveyed to Mark Lee, Trustee, the hereinafter described real estate, hereinafter referred to as "Property," to secure an indebtedness evidenced by a note of even date therewith, which note is fully described in the Deed of Trust, hereinafter referred to as the "Note"; and

WHEREAS, default having occurred in the payment of the Note, and in accordance with the terms of the Note and Deed of Trust, the holder thereof declared the entire indebtedness due and owing; and

WHEREAS, the lawful owner and holder of the indebtedness, by the terms of a certain instrument of record in Instrument 20060720-0087959, Register's Office for Davidson County, Tennessee, appointed Marc T. McNamee as Substitute Trustee, in the place and stead of Mark Lee, Trustee; and

WHEREAS, the owner and holder of the indebtedness directed Marc T. McNamee, Substitute Trustee, to sell the Property, and in accordance with the terms thereof, and pursuant to said direction, Marc T. McNamee, Substitute Trustee, did advertise the Property for sale as provided in the Deed of Trust and Note, and the Property was advertised to be sold at 10:00 a.m., on January 16, 2007, at the front steps of the entrance to the office of the Register of Deeds at 501 Broadway, Nashville, Davidson County, Tennessee, at public outcry, to the highest and best bidder for cash, free from the equity of redemption, homestead and dower, and all other exemptions of every kind, all of which are expressly waived in the Deed of Trust, and advertisement of sale was duly published in *The Nashville Record*, a newspaper of general circulation in Davidson County, Tennessee, on December 21, 2006, December 28, 2006 and January 4, 2007; and

WHEREAS, at the time and place of said sale, and upon the Property being offered under the terms hereinabove set forth, Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3, acting through its Special Servicer, CWCapital Asset Management LLC, was the highest and best bidder, the Substitute Trustee thereby concluding the sale as of 10:45 a.m., by announcing that the Property had sold;

NOW, THEREFORE, the undersigned, Marc T. McNamee, Substitute Trustee, pursuant to the credit bid of Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3, acknowledges the credit in the amount of **Six Million, Three Hundred Thousand Dollars ($6,300,000.00)**, against the indebtedness of the Note, which was the highest bid, and for and in consideration of said bid, has bargained and sold, and by these presents does hereby transfer and convey unto Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3, its successors and assigns, the following described real estate in Davidson County, Tennessee:

Being a parcel of land in Nashville, Second Civil District, Thirteenth Councilmanic District, Davidson County, Tennessee, located on the easterly side of Old Hickory Boulevard, north of Central Pike, being a part of Lot No. 1 as shown on the plan of Hermitage Woods, Phase I, as of record in Book 4460, Page 82, and amended by Surveyor's Certificate of Correction of record in Book 4615, Page 938, Register's Office of Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the easterly right of way line of Old Hickory Boulevard, said point being the northerly terminus of a curve return to northerly right-of-way line of Hermitage Woods Drive, a private drive: THENCE, with said northerly line and the southerly line of Phase II-A, Hermitage Woods Condominium Apartments as of record in Book 4860, Pages 62, 63 and 64, Register's Office of Davidson County, Tennessee, and the southerly line of property conveyed to Hermitage Creste Apartments, L.P. by deed of record in Book 8516, Page 754, Register's Office of Davidson County, Tennessee, the following calls: With a curve to the left 26.21 feet to a point, said curve having a central angle of 30 degrees 01 minutes 48 seconds, a radius of 50.00 feet, a tangent of 13.41 feet and a chord of N 72 degrees 13 minutes 10 seconds E, 25.91 feet; With a curve to the left 215.15 feet to a point; said curve having a central angle of 58 degrees 25 minutes 00 seconds, a radius of 211.02 feet, a tangent of 117.98 feet and a chord of N 27 degrees 59 minutes 46 seconds E, 205.05 feet; N 00 degrees 51 minutes 00 seconds E, 451.83 feet to a point; With a curve to the right 304.14 feet to a point, said curve having a central angle of 52 degrees 09 minutes 00 seconds, a radius of 334.15 feet, a tangent of 163.52 feet and a chord of N 25 degrees 39 minutes 30 seconds E, 293.25 feet; N 51 degrees 44 minutes 00 seconds E, 2.00 feet to a point; With a curve to the left 37.46 feet to a point in the westerly right-of-way line of Rockwood Drive, a private drive and the easterly line of the aforementioned Hermitage Creste Apartments, L.P. property, said curve having a central angle of 85 degrees 50

minutes 37 seconds, a radius of 25.00 feet, a tangent of 23.25 feet, and a chord of N 08 degrees 48 minutes 30 seconds E, 34.05 feet; THENCE, with said line with a curve to the right 386.41 feet to a point, said curve having a central angle of 30 degrees 10 minutes 27 seconds, a radius of 733.73 feet, a tangent of 197.80 feet, and a chord of N 19 degrees 01 minutes 30 seconds W, 381.96 feet; THENCE, leaving said line with the southerly line of property conveyed to Randall Phillips Builders, Inc., by deed of record in Book 5584, Page 274, Register's Office of Davidson County, Tennessee, the following calls: N 84 degrees 00 minutes 00 seconds E, 656.95 feet to a point; N 49 degrees 00 minutes 00 seconds E, 335.00 feet to a point; S 56 degrees 30 minutes 00 seconds E, 100.00 feet to a point; N 39 degrees 00 minutes 00 seconds E, 125.00 feet to a point; S 58 degrees 59 minutes 00 seconds E, 110.00 feet to a point in the westerly line of Margaret Robertson Garden Apartments as of record in Book 5200, Page 447, Register's Office of Davidson County, Tennessee; THENCE, with said line S 25 degrees 31 minutes 00 seconds W, 550.35 feet to a point; THENCE, continuing with said line S 15 degrees 29 minutes 00 seconds E, 650.00 feet to a point; THENCE, with the westerly line of Lot No. 104 as shown on the plan of Resubdivision of Lots 104-108, Hermitage Woods, Section 3A as of record in Book 5190, Page 652, Register's Office of Davidson County, Tennessee, S 32 degrees 31 minutes 00 seconds W, 200.36 feet to a point on the southerly right-of-way line of Rockwood Drive; THENCE, with said line the following calls: N 57 degrees 29 minutes 00 seconds W, 678.75 feet to a point; With a curve to the right 310.44 feet to a point, said curve having a central angle of 19 degrees 13 minutes 00 seconds, a radius of 925.60 feet, a tangent of 156.69 feet and a chord of N 47 degrees 52 minutes 21 seconds W, 308.99 feet; With a curve to the left 39.27 feet to a point on the southerly right-of-way line of Hermitage Woods Drive, said curve having a central angle of 90 degrees 00 minutes 00 seconds, a radius of 25.00 feet and a chord of N 83 degrees 15 minutes 57 seconds W, 36.35 feet; THENCE, with said southerly right-of-way line the following calls: With a curve to the left 249.53 feet to a point, said curve having a central angle of 52 degrees 09 minutes 00 seconds, a radius of 274.15 feet, a tangent of 134.16 feet, and a chord of S 25 degrees 39 minutes 38 seconds W, 241.00 feet; S 01 degrees 41 minutes 00 seconds E, 451.83 feet to a point; With a curve to the right 276.83 feet to a point, said curve having a central angle of 54 degrees 30 minutes 11 seconds, a radius of 291.02 feet, a tangent of 149.90 feet and a chord of S 26 degrees 02 minutes 22 seconds W, 266.51 feet; With a curve to the left 74.43 feet to a point in the easterly right-of-way line of Old Hickory Boulevard, said curve having a central angle of 85 degrees 17 minutes 27 seconds, a radius of 50.00 feet, a tangent of 46.05 feet, and a chord of S 10 degrees 38 minutes 44 seconds W, 67.75 feet; THENCE, with said right-of-way line N 32 degrees 00 minutes 00 seconds W, 135.13 feet to the point of beginning. Containing 876,627 square feet or 20.12 acres, more or less.

Being the same property conveyed to White Oaks Heritage, LLC, a Tennessee limited liability company, by Special Warranty Deed from White Oaks Associates, a Tennessee limited partnership of record in instrument 20041108-0134206, Register's Office for Davidson County, Tennessee.

This is improved property known as 5610 Old Hickory Boulevard, Nashville, Tennessee 37218.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3, its successors and assigns, forever; and Marc T. McNamee, Substitute Trustee, does hereby transfer, assign, and set over unto Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3, all of his right, title and interest in the said property as Substitute Trustee, but no further or otherwise.

Said sale is subject to the permitted encumbrances described in Exhibit "A" attached hereto.

CONCURRENT with the sale of the herein referenced Property, Marc T. McNamee, Substitute Trustee, acting for and under the instruction of the secured party also conducted a sale under the Uniform Commercial Code of certain personal property described in UCC Financing Statement of record as File Number 104070010 in the office of the Tennessee Secretary of State, assigned to and held by Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series

2004-C3 in File No. 305009305, Tennessee Secretary of State, and Instrument 20041108-0134209, of record in the Register's Office for Davidson County, Tennessee, assigned to and held by Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3, by that certain instrument of record as Instrument 20050222-0019311, said Register's Office. Wells Fargo Bank N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2004-C3, through its Special Servicer, CWCapital Asset Management LLC, being the highest and best bidder, did also purchase the personal property referenced herein, and Marc T. McNamee, Substitute Trustee acting for and under the instruction of the secured party, for the same good and valuable consideration, does by these presents hereby sell, transfer, assign and set over all of the secured party's right, title and interest in and to said personal property, but not further or otherwise.

IN WITNESS WHEREOF, the said Marc T. McNamee, Substitute Trustee, has executed this instrument on this the 16th day of January, 2007.

Marc T. McNamee, Substitute Trustee

MARC T. MCNAMEE , SUBSTITUTE TRUSTEE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Marc T. McNamee, Substitute Trustee, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged that he executed the within instrument for the purposes therein contained in his capacity as Substitute Trustee.

Witness my hand and seal, at office in Nashville, Tennessee, this the 16th day of January, 2007.

Lisa K. Brian

NOTARY PUBLIC

My Commission Expires: 5/23/2009

LISA K. BRIAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

EXHIBIT A
PERMITTED ENCUMBRANCES

Any lien for services, labor, or materials in connection with improvements, repairs or renovations not shown by the public records.

Taxes and assessments for the year 2006 and prior years now due and payable.

Any discrepancies or conflicts in boundary lines, any shortages in area, or any encroachment or overlapping of improvements.

Easements, liens, encumbrances, or claims thereof, which are not shown by the public record.

All matters as shown on the plat of record in Plat Book 4460, page 82, Register's Office for Davidson County, Tennessee, as corrected by Certificate of Correction of record in Book 4615, page 938, said Register's Office.

Conveyance of all right of ingress and egress to and from Old Hickory Boulevard along a portion of the land of record in Book 7842, page 912, Register's Office for Davidson County, Tennessee.

All of the terms and provisions set forth and contained in that certain Lease between White Oaks Associates, Ltd, Lessor, and Web Service Company, Inc., Lessee, a memorandum of which is recorded in Book 10386, page 926.

All of the terms and provisions set forth and contained in that certain Lease between White Oaks Associates, Ltd, Lessor, and Web Service Company, Inc., Lessee, a memorandum of which is recorded in Book 8904, page 607.

Rights of tenants in possession under unrecorded leases.