This instrument was prepared by:
R. Craig Warner
Glast, Phillips & Murray
2200 One Galleria Tower
13355 Noel Road, L.B. 48
Dallas, Texas 75240

Address New Owner as Follows:
Harold M. Garner and Jewell E. Garner
4461 Whites Creek Pike
Whites Creek, Tennessee 37189

Send Tax Bills to:
Harold M. Garner and Jewell E. Garner
4461 Whites Creek Pike
Whites Creek, Tennessee 37189

Map-Parcel Number:
81-4, Parcel 238

Davidson County DEEDWARR
Recvd: 07/05/07 09:23 5 pgs
Fees:28.00 Taxes:599.40
20070705-0079810

SPECIAL WARRANTY DEED

THE STATE OF TENNESSEE '
' KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DAVIDSON '

AMERICAN REALTY TRUST, a Georgia corporation (the "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars ($10.00) cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, paid by Harold M. Garner and Jewell E. Garner, jointly and severally (collectively, the "Grantee"), whose address is 4461 Whites Creek Pike, Whites Creek, Tennessee 37189, HAS GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES GRANT, BARGAIN, SELL and CONVEY unto Grantee that certain tract of land (the "Land") situated in Davidson County, Tennessee, and described on Exhibit "A" which is attached hereto and incorporated herein by reference for all purposes; together with all of Grantor's right, title and interest in and to the rights and appurtenances pertaining solely to such Land, including any right, title and interest of Grantor in and to the centerline of adjacent roads, streets, alleys or rights-of-way to the extent (but only to the extent) that the same relate to the Land, but specifically excluding from the interests conveyed to Grantee hereunder, Grantor's rights, title and interests in and to such rights and appurtenances to the extent they relate to other properties adjacent to, contiguous with or in close proximity to the Land (all of such Land, rights and appurtenances being hereinafter collectively referred to as the "Property"). The Property has an address of 820 Dominican Drive, Nashville, Davidson County, Tennessee.

This conveyance and warranties herein contained is made subject, however, to the matters set forth on Exhibit "B" attached hereto and incorporated herein by this reference for all purposes.

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to

WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, and subject, however, as aforesaid.

EXECUTED this 2nd day of July, 2007.

GRANTOR:

AMERICAN REALTY TRUST, INC., a Georgia corporation

By: _____
Steven A. Shelley, Vice President

THE STATE OF TEXAS '
'
COUNTY OF DALLAS '

Samantha McCurry
My Commission Expires
11/09/2010

This instrument was acknowledged before me on July 2, 2007 by Steven A. Shelley of AMERICAN REALTY TRUST, INC., a Georgia corporation, on behalf of such corporation.

_____
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 11/09/2010

STATE OF Tennessee)
COUNTY OF Williamson)

The actual consideration or value for this transfer, whichever is greater, is $162,000.00.

Harold M. Garner

Jewell E. Garner

Subscribed and sworn to before me, this 3rd day of July, 2007.

NOTARY PUBLIC

JAMES G. LACKEY, III
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires:
3/21/09

EXHIBIT "A"
TO SPECIAL WARRANTY DEED

Being a parcel of land in Nashville, First Civil District, Second Councilmanic District, Davidson County, Tennessee, located north of Dominican Drive, being Lot 23E as shown on First Revision, Tract 23, Metrocenter of record in Plat Book 9700, page 270, R.O.D.C., and being more particularly described as follows:

BEGINNING, at an existing iron pin in the northerly right-of-way of Dominican Drive approximately 280 feet, more or less, west of the west return at the intersection of Dominican Drive and Athens Way;

THENCE, along said right-of-way , S 74° 03' 41" W, 294.96 feet to an iron pin;

THENCE, leaving said right-of-way with the easterly line of Metro Government, NES Power Board property N 15° 58' 44" W. 146.77 feet to a point;

THENCE, with the southerly boundary of property conveyed to Curt Hahn of record in Book 9701, page 478, R.O.D.C., the following calls:

N 74° 01' 16" E, 213.00 feet to an iron pin;
S 58° 19' 08" E, 121.75 feet to an iron pin;
S 15° 56' 19" E, 56.98 feet to the Point of Beginning.

Containing 39,637 square feet or 0.91 acres, more or less.

Being part of the same property conveyed to American Realty Trust, Inc., a Georgia corporation by Special Warranty Deed from SunTrust Banks, Inc., a Georgia corporation of record in Book 11503, page 900, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"
TO SPECIAL WARRANTY DEED

1. Taxes for the year 2007.

2. Subject to all matters shown on the Plan of First Revision Tract 23 MetroCenter of record in Plat Book 9700, Page 270, Register's Office of Davidson County, Tennessee.

3. Restrictive Covenant in favor of Arby's Inc. of record in Book 9382, Page 56 said Register's Office.

4. Restrictive Covenant in favor of Taco Bell Corp., of record in Book 9420, Page 176 said Register's Office.

5. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions of record in Book 7487, Page 952 and as amended in Book 10602, Page 499, and as affected by Waiver in Instrument No. 20060531-0063833, said Register's Office.

6. Amendment to Protective Covenants and Waiver of Repurchase Right for MetroCenter Tracts of record in Book 11503, Page 607, Register's Office for Davidson County, Tennessee.

7. Building Height Restriction of record in Book 9701, Page 499, said Register's Office.

8. Restrictions in favor of St. Cecilia Congregation as set out in Grant of Easement of record in Book 9701, Page 469, said Register's Office.