Davidson County DEEDWARR
Recvd: 08/31/07 16:16 8 pgs
Fees:43.00 Taxes:33251.90
20070831-0105310

Address New Owner:	Send Tax Bills to:	Map-Parcel Numbers
899 South Curtiswood Lane Nashville, TN 37204	899 South Curtiswood Lane Nashville, TN 37204	160-210.00
This instrument prepared by: Boult, Cummings, Conners & Berry (RFW) 1600 Division Street, Suite 700, Nashville, Tennessee 37203		

SPECIAL WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are acknowledged, **HHP-BRENTWOOD, L.L.C.,** a Delaware limited liability company ("**Grantor**"), has bargained and sold, and hereby transfers and conveys to **ARTE HOTELS, LLC**, a Delaware limited liability company ("**Grantee**"), its successors, and assigns, certain land in Davidson County, Tennessee, being more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "**Property**").

TO HAVE AND TO HOLD the Property with all appurtenances, estate, title, and interest thereto belonging to Grantee, its successors and assigns, forever.

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the matters described in Exhibit B attached hereto and incorporated herein by reference.

Grantor covenants with Grantee that the Property is free from all encumbrances made by Grantor, except as may be set forth herein.

Grantor further covenants to warrant and forever defend the title to the Property to Grantee, its successors and assigns against the lawful claims of all persons claiming by, through, or under Grantor.

EXCEPT AS EXPRESSLY SET FORTH IN THAT CERTAIN PURCHASE AND SALE AGREEMENT BETWEEN GRANTOR AND TARUN N. SURTI, DATED APRIL 9, 2007, AS AMENDED AND ASSIGNED TO GRANTEE (THE "AGREEMENT"), IT IS UNDERSTOOD AND AGREED THAT GRANTOR IS NOT MAKING AND HAS NOT AT ANY TIME MADE ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED WITH RESPECT TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER MATTER OR THING REGARDING THE PROPERTY. EXCEPT FOR THE MATTERS WHICH ARE EXPRESSLY THE SUBJECT OF GRANTOR'S REPRESENTATIONS AND WARRANTIES IN ARTICLE III OF THE AGREEMENT, (A) GRANTEE ACKNOWLEDGES AND AGREES THAT THE PROPERTY IS SOLD AND CONVEYED TO GRANTEE, AND IS ACCEPTED BY GRANTEE, "AS-IS, WHERE-IS, WITH ALL FAULTS", AND (B) GRANTEE

HAS RELIED SOLELY ON ITS OWN INVESTIGATION WITH RESPECT TO THE PROPERTY. IN ADDITION TO, AND NOT BY WAY OF LIMITATION OF, THE SALE OF THE PROPERTY ON AN AS-IS CONDITION WITH ALL FAULTS BASIS UNDER THIS AGREEMENT, GRANTEE ACKNOWLEDGES THAT GRANTOR MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER TO GRANTEE, EXCEPT AS OTHERWISE SET FORTH IN THIS AGREEMENT, REGARDING THE: (I) PHYSICAL CONDITION OF THE PROPERTY OR (II) PRESENCE OR ABSENCE OF HAZARDOUS SUBSTANCES IN, AT, OR UNDER THE PROPERTY. GRANTOR HEREBY EXPRESSLY EXCLUDES FROM ITS SALE OF THE PROPERTY ANY REPRESENTATION OR WARRANTY NOT EXPRESSLY SET FORTH IN THE AGREEMENT.

This is improved property known as Holiday Inn Brentwood, 760 Old Hickory Blvd., Davidson County, Tennessee.

[signature page follows]

STATE OF TENNESSEE)
COUNTY OF Davidson)

The actual consideration or value, whichever is greater, for this transfer is $8,987,000.00.

Barbara Jennins
Affiant

Subscribed and sworn to before me this the 30 day of August, 2007.

Leslie Cherry
Notary Public
My Commission Expires: 7/19/08

LESLIE E. CHERRY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Executed this 30th day of August, 2007.

HHP-BRENTWOOD, L.L.C.

By: _____
Name: Christopher D. Schott
Title: Manager

STATE OF LOUISIANA)
PARISH OF Orleans)

Before me, the undersigned, a Notary Public in and for the Parish/County and State aforesaid, personally appeared Christopher D. Schott, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the Manager of HHP-Brentwood, L.L.C., a Delaware limited liability company, the within named grantor, and that he as such manager being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Manager.

Witness my hand and seal, at office in New Orleans, Louisiana, this the 30th day of August, 2007.

_____
Notary Public
My Commission Expires: at death

NEAL J. KLING
NOTARY PUBLIC
Bar No. 22489
Parish of Orleans, State of Louisiana
My Commission is for life

NEAL JOSEPH KLING NOTARY PUBLIC PARISH OF ORLEANS

Exhibits:
Exhibit A – Legal Description
Exhibit B – Permitted Exceptions

00519.0251/NJK3667.DOC

EXHIBIT "A"

LEGAL DESCRIPTION

BEING A PARCEL OF LAND IN NASHVILLE FIRST CIVIL DISTRICT, DAVIDSON COUNTY, TENNESSEE, LOCATED IN THE NORTHWESTERLY QUADRANT OF THE INTERSECTION OF OLD HICKORY BOULEVARD AND BRENTWOOD COMMONS WAY, BEING LOT NO. 2, AS SHOWN ON THE REVISED PLAN OF BRENTWOOD COMMONS, AS RECORDED IN PLAT BOOK 6900, PAGE 328, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE AND AS AMENDED BY PLAT BOOK 7604, PAGE 644, SAID REGISTER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT IN THE NORTHERLY MARGIN OF OLD HICKORY BOULEVARD, SAID MONUMENT BEING NORTH 85° 58' WEST, 479.20 FEET FROM THE CENTER LINE OF BRENTWOOD COMMONS WAY;

THENCE, LEAVING SAID MARGIN WITH THE EASTERLY LINE OF PROPERTY CONVEYED TO NASHVILLE LODGE NO. 72 BY DEED OF RECORD IN BOOK 4498, PAGE 118, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, NORTH 03° 54' 34" EAST, 365.00 FEET TO AN IRON PIN;

THENCE, LEAVING SAID LINE NORTH 48° 54' 34" EAST, 222.49 FEET TO AN IRON PIN IN THE WESTERLY MARGIN OF BRENTWOOD COMMONS WAY;

THENCE, WITH SAID MARGIN THE FOLLOWING CALLS:

WITH A CURVE TO THE LEFT 37.60 FEET TO AN IRON PIN, SAID CURVE HAVING A CENTRAL ANGLE OF 07° 50' 04", A RADIUS OF 275.00 FEET, A TANGENT OF 18.83 FEET AND A CHORD OF SOUTH 52° 02' 55" EAST, 37.57 FEET;

SOUTH 55° 57' 57" EAST, 88.72 FEET TO AN IRON PIN;

WITH A CURVE TO THE RIGHT 376.99 FEET TO AN IRON PIN, SAID CURVE HAVING A CENTRAL ANGLE OF 60° 00' 00", A RADIUS OF 360.00 FEET, A TANGENT OF 207.85 FEET AND A CHORD OF SOUTH 25° 57' 57" EAST, 360.00 FEET;

SOUTH 04° 02' 03" WEST, 115.57 FEET TO AN IRON PIN;

WITH A CURVE TO THE RIGHT 47.12 FEET TO AN IRON PIN IN THE NORTHERLY MARGIN OF OLD HICKORY BOULEVARD, SAID CURVE HAVING A CENTRAL ANGLE OF 90° 00' 00", A RADIUS OF 30.00 FEET, A TANGENT OF 30.00 FEET AND A CHORD OF SOUTH 49° 02' 03" WEST, 42.43 FEET.

THENCE, WITH SAID NORTHERLY MARGIN NORTH 85° 57' 57" WEST, 414.20 FEET TO THE POINT OF BEGINNING.

TRACT II (ACCESS EASEMENT):
BRENTWOOD COMMONS WAY

BEING AN EASEMENT OF RECORD IN BOOK 7263, PAGE 323, IN THE REGISTER'S OFFICE FOR DAVIDSON COUNTY IN NASHVILLE, TENNESSEE, FIRST CIVIL DISTRICT, THIRTY-SECOND COUNCILMANIC DISTRICT, DAVIDSON COUNTY, TENNESSEE, LOCATED ON THE NORTHERLY SIDE OF OLD HICKORY BOULEVARD (STATE ROUTE 254) (A PUBLICLY DEDICATED RIGHT-OF-WAY) EAST OF INTERSTATE 65 AND FRANKLIN PIKE CIRCLE, BEING SHOWN AS BRENTWOOD COMMONS WAY ON THE REVISED PLAN OF BRENTWOOD COMMONS OF RECORD IN BOOK 6900, PAGE 328, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, AS AMENDED IN BOOK 7604, PAGE 644, SAID REGISTER'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY MARGIN OF OLD HICKORY BOULEVARD, SAID POINT BEING THE WEST END RADIUS RETURN LOCATED IN THE SOUTHEAST CORNER OF LOT NO. 2 AT THE NORTHWEST INTERSECTION OF SAID OLD HICKORY BOULEVARD AND BRENTWOOD COMMONS WAY AND FURTHER DESCRIBED AS BEING SOUTH 85° 57' 57" EAST, 414.20 FEET FROM A CONCRETE MONUMENT, THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO NASHVILLE LODGE NO. 72, OF RECORD IN BOOK 4498, PAGE 118, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE;

THENCE, LEAVING SAID MARGIN OF OLD HICKORY BOULEVARD WITH THE COMMON LINE BETWEEN BRENTWOOD COMMONS WAY AND LOT NO. 2, WITH A CURVE TO THE LEFT 47.12 FEET TO AN IRON PIN, SAID CURVE HAVING A CENTRAL ANGLE OF 90° 00' 00" A RADIUS OF 30.00 FEET, A TANGENT DISTANCE OF 30.00 FEET AND A CHORD OF NORTH 49° 02' 03" EAST, 42.43 FEET TO AN IRON PIN;

THENCE, NORTH 04° 02' 03" EAST, 115.57 FEET TO AN IRON PIN;

THENCE, WITH A CURVE TO THE LEFT 376.99 FEET TO AN IRON PIN, SAID CURVE HAVING A CENTRAL ANGLE OF 60° 00' 00", A RADIUS OF 360.00 FEET, A TANGENT DISTANCE OF 207.85 FEET AND A CHORD OF NORTH 25° 57' 57" WEST, 360.00 FEET;

THENCE, NORTH 55° 57' 57" WEST, 88.72 FEET TO AN IRON PIN;

THENCE, WITH A CURVE TO THE RIGHT 37.60 FEET TO THE NORTHEAST CORNER TO SAID LOT NO. 2, THE TERMINUS OF THE HEREIN DESCRIBED EASEMENT, SAID CURVE HAVING A CENTRAL ANGLE OF 07° 50' 04", A RADIUS OF 275.00 FEET, A TANGENT DISTANCE OF 18.83 FEET AND A CHORD OF NORTH 52° 02' 55" WEST, 37.57 FEET;

THENCE, LEAVING SAID LOT NO. 2 WITH THE TERMINUS OF THE HEREIN DESCRIBED EASEMENT (BRENTWOOD COMMONS WAY) NORTH 48° 54' 34" EAST, 60.59 FEET TO THE EASTERLY LINE OF SAID EASEMENT;
THENCE, WITH A CURVE TO THE LEFT 21.97 FEET TO AN IRON PIN, SAID CURVE HAVING A CENTRAL ANGLE OF 05° 51' 00", A RADIUS OF 215.00 FEET, A TANGENT OF 11.00 FEET AND A CHORD OF SOUTH 53° 02' 00" EAST, 21.95 FEET;

THENCE, SOUTH 55° 57' 57" EAST, 88.72 FEET TO AN IRON PIN;

THENCE, WITH AN OFFSET NORTH 34° 02' 00" EAST, 10.00 FEET TO THE WESTERNMOST CORNER OF LOT NO. 1 SHOWN ON SAID REFERENCED PLAT;

THENCE, WITH THE COMMON LINE BETWEEN BRENTWOOD COMMONS WAY AND SAID LOT NO. 1, WITH A CURVE TO THE RIGHT 450.30 FEET TO AN IRON PIN, SAID CURVE HAVING A CENTRAL ANGLE OF 60° 00' 00", A RADIUS OF 430.00 FEET, A TANGENT DISTANCE OF 248.26 FEET AND A CHORD OF SOUTH 25° 57' 57" EAST, 430.00 FEET;

THENCE, SOUTH 04° 02' 03" WEST, 115.57 FEET TO AN IRON PIN;

THENCE, WITH A CURVE TO THE LEFT 47.12 FEET TO THE NORTHERLY MARGIN OF OLD HICKORY BOULEVARD, SAID CURVE HAVING A CENTRAL ANGLE OF 90° 00' 00", A RADIUS OF 30.00 FEET, A TANGENT DISTANCE OF 30.00 FEET, AND A CHORD OF SOUTH 49° 57' 57" EAST, 42.43 FEET;

THENCE, WITH SAID MARGIN NORTH 85° 57' 57" WEST, 130.00 FEET TO THE POINT OF BEGINNING.

TRACT III (DRAINAGE AND WATER LINE EASEMENTS):
APPURTENANT DRAINAGE EASEMENTS AND WATER LINE EASEMENT ESTABLISHED IN EASEMENT AGREEMENT OF RECORD IN BOOK 8167, PAGE 251, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TOGETHER WITH APPURTENANT EASEMENT FOR DRAINAGE ACROSS PARCELS 1 AND 3 OF REVISED BRENTWOOD COMMONS OF RECORD IN PLAT BOOK 6900, PAGE 328, SAID REGISTER'S OFFICE, WITHIN DRAINAGE EASEMENTS SHOWN ON SAID PLAT, TO DETENTION POND ON PARCEL 3 OF SAID PLAT.

BEING THE SAME PROPERTY CONVEYED TO HHP-BRENTWOOD L.L.C. BY DEED FROM IHC REALTY PARTNERSHIP, L.P., OF RECORD IN INSTRUMENT NO. 20010605-0058540, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2007 and subsequent years, which are not yet due and payable.

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

3. All matters as shown on the plats of record in Plat Book 6900, page 328, as amended in Book 7604, page 644, Plat Book 9700, page 258, Register's Office for Davidson County, Tennessee.

4. Agreement for Dedication of Easement of record in Book 7855, page 131 in the Register's Office, Davidson County, Tennessee.

5. Covenants and Restrictions of record in Book 7263, page 315, in said Register's Office.

6. Easement Agreements of record in Book 7263, page 323 and Book 8167, page 251 in the Register's Office, Davidson County, Tennessee.

7. Declaration of Protective Covenants and Owners Association for Brentwood Commons Office Park of record in Book 7619, page 198, in said Register's Office, as amended by First Amendment to Declaration of Protective Covenants and Owner's Association for Brentwood Commons Office Park of record in Book 10201, page 454, said Register's Office.

8. Storm Water Detention Agreement of record in Book 6145, page 257, Register's Office for Davidson County, Tennessee.

9. 20' Sewer line of record in Book 8135, page 323, Register's Office of Davidson County, Tennessee.

10. All setbacks, encroachments, easements and other matters described on that certain survey dated April 5, 2001, last revised June 6, 2007 by Michael J. Moore, RLS No. 2336, Crawford Land Surveyors, P.C.