42821 26A

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Davidson County DEEDWARR
Recvd: 10/16/07 08:35 4 pgs
Fees:23.00 Taxes:13703.70
20071016-0122227

The actual consideration or value, whichever is greater, for this transfer is $ 3,703,703.00.

Affiant

Subscribed and sworn to before me, this the 11th day of October, 2007.

Notary Public
My commission expires:

NOTARY PUBLIC AT LARGE
Joe Vaulx Crockett, III
My Commission Expires January 24, 2009
STATE OF TENNESSEE

This instrument prepared by
JOE VAULX CROCKETT, III, ESQ.
Suite 1050 American Center
3100 West End Avenue
Nashville, Tennessee 37203

Address New Owner:

GC Hermitage Investments LLC
123 Revere Road
Roslyn Heights, NY 11577

Send Tax Bills To:

Same

Map/Parcel No. 86 753

LIMITED WARRANTY DEED

For and in consideration of the sum of Ten Dollars, cash in hand paid by the hereinafter named GRANTEE, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, CUMBERLAND CORRAL, LLC, a Tennessee limited liability company, hereinafter called "GRANTOR", has bargained and sold, and by these presents does transfer and convey unto GC HERMITAGE INVESTMENTS LLC, a Tennessee limited liability company, hereinafter called "GRANTEE", its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:

(SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS FULLY AS THOUGH COPIED HEREIN.)

Said property is transferred subject to the limitations, restrictions, and encumbrances set forth on Exhibit B.

This is improved property located at 315 Old Lebanon Dirt Road, Hermitage, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns, forever, and GRANTOR does covenant 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, unless otherwise herein set out; 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, its successors and assigns, against the lawful claims of all persons claiming by, through or under GRANTOR, but not further or otherwise.

Wherever 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 its hand this 12th day of October, 2007.

CUMBERLAND CORRAL, LLC,
By: Oxford Corral, LLC,
Its Managing Member

By: George G. Keith, III
George G. Keith, III, Chief Manager

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, Joe Vaulx Crockett III, a Notary Public in and for the County and State aforesaid, personally appeared , GEORGE G. KEITH, III, with whom I am personally acquainted (or proved to be on the basis of satisfactory evidence), who upon oath acknowledged himself to be chief Manager of Oxford Corral, LLC, the Managing Member of Cumberland Corral, LLC, the within named bargainor, and that he as Chief Manager of Oxford Corral, LLC, being authorized so to do, executed the foregoing instrument for the purposes contained therein, by signing the name of Oxford Corral, LLC, by himself as Chief Manager.

WITNESS my hand and seal in Nashville, Tennessee, this the 12th day of October, 2007.

Notary Public
My Commission Expires:

JOE VAULX CROCKETT III STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

NOTARY PUBLIC
AT LARGE
Joe Vaulx Crockett, III
My Commission Expires
January 24, 2009
STATE OF TENNESSEE

EXHIBIT A

DESCRIPTION OF PROPERTY
315 Old Lebanon Dirt Road, Hermitage, Tennessee

Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Final Plat, Hermitage Chick-Fil-A, of record in Instrument No. 20050915-0111233, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

Being the same property conveyed to Cumberland Corral, LLC, a Tennessee limited liability company, by deed of record as Instrument No. 20060905-0109636, Register's Office for Davidson County, Tennessee.

Together with appurtenant easements and rights contained in the following:

Declaration of Reciprocal Easements and Restrictions of record as Instrument No. 20050308-0025818, being modified by First Amendment to Declaration of Reciprocal Easements and Restrictions of record as Instrument No. 20050802-0090286, and being further modified by Second Amendment to Declaration of Reciprocal Easements and Restrictions of record as Instrument No. 20060905-0109634, all of record in said Register's Office;

Easement Agreement of record as Instrument No. 20041008-0121768, re-recorded as Instrument No. 20050818-0098530, both of record in said Register's Office;

Cross-Access and Drainage Easement Agreement of record as Instrument No. 20041008-0121767, being modified by First Amendment to Cross-Access and Drainage Easement Agreement of record as Instrument No. 20060905-0109635, both in said Register's Office.

CM
10-11-07

EXHIBIT B

EXCEPTIONS TO TITLE:
315 Old Lebanon Dirt Road, Hermitage, Tennessee

The subject property is conveyed subject to following:

1. Taxes for the year 2007.

2. ALL matters shown on Plat recorded in Instrument No. 20050915-0111233 and Book 5210, page 93, said Register's Office.

3. Stormwater Detention Agreement of record as Instrument No. 20040916-0111880, said Register's Office.

4. Cross-Access and Drainage Easement Agreement of record as Instrument No. 20041008-0121767, as amended by First Amendment to Cross-Access and Drainage Easement Agreement of record as Instrument No. 20060905-0109635, said Register's Office.

5. Declaration of Reciprocal Easements and Restrictions of record as Instrument No. 20050308-0025818, being modified by First Amendment to Declaration of Reciprocal Easements and Restrictions of record as Instrument No. 20050802-0090286, and being further modified by Second Amendment to Declaration of Reciprocal Easements and Restrictions of record as Instrument No. 20060905-0109634, all of record in said Register's Office.

6. Easement Agreement of record as Instrument No. 20041008-0121768, and re-recorded as Instrument No. 20050818-0098530, said Register's Office.

7. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage Water Mains, Pumps and Appurtenances of record as Instrument No. 20050125-0009333, said Register's Office.

8. Restrictions set forth in Short Form Lease from MPI Hermitage, LLC, to Chick-Fil-A, of record as Instrument No. 20050308-0025819, said Register's Office.

9. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage Water Mains, Pumps and Appurtenances of record as Instrument No. 20061019-0129592, said Register's Office.

10. Stormwater Detention Agreement to the Metropolitan Government of Nashville and Davidson County, of record as Instrument No. 20061019-0129614, said Register's Office.

10-11-07