Davidson County DEEDWARR
Recvd: 03/03/08 13:57 4 pgs
Fees:23.00 Taxes:4995.00
20080303-0020950

BOT 36

WARRANTY DEED

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $1,350,000.00.

Affiant

Subscribed and sworn to me on February 29, 2008.

NOTARY PUBLIC

TODD A. BRICKER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

NOTARY PUBLIC AT LARGE
Todd A. Bricker
My Commission Expires
May 22, 2010
STATE OF TENNESSEE

THIS INSTRUMENT WAS PREPARED BY:
Todd A. Bricker
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #23002SP

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
Elmington Nashville LLC 500 Wilson Pike Circle Suite 102 Brentwood, TN 37027	SAME	104-9-246

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Elmington Investments, LLC, a Tennessee Limited Liability Company hereinafter called **"GRANTORS,"** have bargained and sold, and by these presents does transfer and convey unto Elmington Nashville LLC, a Ohio Limited Liability Company hereinafter called **"GRANTEES,"** it's successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

SEE ATTACHED LEGAL DESCRIPTION:

Being part of the same property conveyed to Elmington Investments, LLC, a Tennessee Limited Liability Company, by Warranty Deed from J. Williams Blevins, of record as Instrument No. 20021213-0154064 in the Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. 2008 Davidson County taxes which have been prorated by the parties and assumed by the Grantees; and
2. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property; and
3. Subject to Conservation Zoning of record as Bill No. Bl2005-615, Metro Clerk's Office for Davidson County, Tennessee, together with any restrictions imposed by the Metropolitan Historic Zoning Commission, not of record.
4. Subject to Urban Zoning Overlay of record as Metro Ordinance No. BL2000-364, made applicable by Ordinance No. BL-2000-476, of record in the Metropolitan Clerk's Office for Davidson County, Tennessee.

This property is also known as improved property located at 3525 West End Avenue, Nashville, TN 37205.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, its successors and assigns, forever, and GRANTORS do covenant with the said GRANTEES that they are 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 GRANTORS do further covenant and bind themselves, their successors and assigns, to warrant and forever defend the title to the said land to the said GRANTEES, their successors and assigns, against the lawful claims of all persons whomsoever. 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 our hands on February 29, 2008.

Elmington Investments, LLC, A
Tennessee Limited Liability Company

By: Kevin McGinn Chief Manager
Kevin McGinn, Chief Manager

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned authority, of the State and County aforesaid, personally appeared Kevin McGinn with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, swore to and acknowledged himself to be the Chief Manager of Elmington Investments, LLC, the within named bargainor, and that he as such Chief Manager executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chief Manager.

Witness my hand and official seal on February 29, 2008.

Todd A. Bricker
NOTARY PUBLIC

My Commission Expires:

TODD A. BRICKER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Todd A. Bricker
My Commission Expires
May 22, 2010
STATE OF TENNESSEE

EXHIBIT "A"

A tract of land in the Twenty-Fifth Councilmanic District of Metropolitan Nashville and Davidson County, Tennessee, being part of Lot No. 6 and part of Lot No. 7, except a small triangular part thereof facing on Elmington Avenue, on the Plan of Joseph Warner's Subdivision of record in Book 332, page 154, in the Register's Office for Davidson County, Tennessee, and being more particularly described according to a Lot Survey prepared by H & H Land Surveying, Inc., Job Number 2002-991, dated February 14, 2008, as follows:

Beginning at a concrete monument (old) at the easterly intersection of southerly right-of-way line of West End Avenue, as widened (right-of-way width varies), and the easterly right-of-way line of Elmington Avenue (a 60 foot right-of-way), said concrete monument being the northwesterly corner of the herein described tract; thence,

1. With the southerly right-of-way line of West End Avenue, North 52 deg. 56 min. 00 sec. East, 90.36 feet to a concrete monument (old); thence,

2. North 61 deg. 09 min. 22 sec. East, 25.56 feet to a concrete monument (old); thence,

3. With an offset in the southerly right-of-way line of West End Avenue, South 32 deg. 12 min. 30 sec. East, 9.94 feet to a concrete monument (old) at the northwesterly property corner of a tract of land conveyed to Elmington Investors, LLC, known as Tract 4 of record in Instrument No. 20021213-0154064 in the Register's Office for Davidson County, Tennessee; thence,

4. Leaving the southerly right-of-way line of West End Avenue and with the southwesterly right-of-way line of Interstate 440 (right-of-way width varies), North 80 deg. 11 min. 30 sec. East, 61.52 feet to an iron rod (old); thence,

5. South 53 deg. 09 min. 52 sec. East, passing an iron rod (old) at 46.50 feet, for a total of 86.86 feet to an iron rod (old) at the most northeasterly property corner of a tract of land conveyed to Anona K. Johnson of record as Instrument No. 20050920-0113120 in the Register's Office for Davidson County, Tennessee, said iron rod (old) also being in the northerly property line of Lot No. 9 on the aforementioned plan of Joseph Warner's subdivision; thence,

6. Leaving the westerly right-of-way line of Interstate 440 and with the northerly property line of the forementioned Johnson, South 57 deg. 28 min. 01 sec. West, 76.88 feet to an iron rod (old) at the northeasterly property corner of a tract of land conveyed to Sarah C. Moore of record as Instrument No. 20030910-0132333 in the Register's Office for Davidson County, Tennessee, said iron rod (old) also being the northeasterly corner of Lot No. 8 as shown on the aforementioned plan of Joseph Warner's Subdivision; thence,

7. With the northerly line of said Moore, South 60 deg. 44 min. 41 sec. West passing an iron rod (old) at 75.10 feet, for a total of 150.45 feet to an iron rod (old) on the easterly right-of-way line of the aforementioned Elmington Avenue; thence,

8. With the easterly right-of-way line of Elmington Avenue, North 19 deg. 02 min. 20 sec. West 103.76 feet to the point of beginning and containing 20,448 square feet, or 0.469 acres, more or less, as calculated by the above courses and distances.

ALSO KNOWN AS

PROPERTY DESCRIPTION
TRACT NO. 1

A TRACT OF LAND IN THE TWENTY-FIFTH COUNCILMANIC DISTRICT OF METROPOLITAN NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, BEING PART OF LOT NO. 6 AND PART OF LOT NO. 7, EXCEPT A SMALL TRIANGULAR PART THEREOF FACING ON ELMINGTON AVENUE ON THE PLAN OF JOSEPH WARNER'S SUBDIVISION AS OF RECORD IN BOOK 332, PAGE 154, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A LOT SURVEY PREPARED BY H & H LAND SURVEYING, INC., JOB NUMBER 2002-991, DATED NOVEMBER 22, 2002 AND PROCEEDING AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT (OLD) AT THE EASTERLY INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST END AVENUE, AS WIDENED (RIGHT-OF-WAY WIDTH VARIES) AND THE EASTERLY RIGHT-OF-WAY LINE OF ELMINGTON AVENUE (A 60-FOOT RIGHT-OF-WAY); SAID CONCRETE MONUMENT BEING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE,

1) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST END AVENUE, NORTH 52 DEGREES 56 MINUTES 00 SECONDS EAST, 90.36 FEET TO A CONCRETE MONUMENT (OLD); THENCE,

2) NORTH 61 DEGREES 09 MINUTES 22 SECONDS EAST, 25.56 FEET TO A CONCRETE MONUMENT (OLD); THENCE,

3) WITH AN OFFSET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST END AVENUE, SOUTH 32 DEGREES 12 MINUTES 30 SECONDS EAST, 9.94 FEET TO A CONCRETE MONUMENT (OLD) AT THE NORTHWESTERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO J. WILLIAM BLEVINS AND MELBA BLEVINS KNOWN AS TRACT 1 AS OF RECORD IN INSTRUMENT NO. 20020114-0005430, REGISTER'S OFFICE FOR DAVIDSON COUNTY TENNESSEE; THENCE,

4) LEAVING SAID RIGHT-OF-WAY LINE AND WITH THE WESTERLY PROPERTY LINE OF SAID BLEVINS TRACT 1, SOUTH 38 DEGREES 13 MINUTES 14 SECONDS EAST, 66.58 FEET TO AN IRON ROD (NEW) AT THE SOUTHWESTERLY CORNER OF SAID BLEVINS TRACT 1; THENCE,

5) WITH SAID SOUTHERLY LINE, NORTH 58 DEGREES 21 MINUTES 14 SECONDS EAST, 66.54 FEET TO AN IRON ROD (NEW) IN THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 440 (RIGHT-OF-WAY WIDTH VARIES); THENCE,

6) WITH THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 440, SOUTH 53 DEGREES 09 MINUTES 52 SECONDS EAST, 40.36 FEET TO AN IRON ROD (NEW) AT THE MOST NORTHERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO J. WILLIAM BLEVINS AS OF RECORD IN INSTRUMENT NO. 20020114-0005429, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; SAID IRON ROD (NEW) ALSO BEING IN THE NORTHERLY PROPERTY LINE OF LOT NO. 9 ON THE AFOREMENTIONED PLAN OF JOSEPH WARNER'S SUBDIVISION; THENCE,

7) LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 440 AND WITH THE NORTHERLY PROPERTY LINE OF THE AFOREMENTIONED BLEVINS, SOUTH 57 DEGREES 28 MINUTES 01 SECONDS WEST, 76.88 FEET TO AN IRON ROD (OLD) AT THE NORTHEASTERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO SARAH G. MOORE AND MARGARET R. BUNOW AS OF RECORD IN DEED BOOK 8163, PAGE 945, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; SAID IRON ROD (OLD) ALSO BEING THE NORTHEASTERLY CORNER OF LOT NO. 8 AS SHOWN ON THE AFOREMENTIONED PLAN OF JOSEPH WARNER'S SUBDIVISION; THENCE,

8) WITH THE NORTHERLY LINE OF SAID MOORE AND BUNOW, SOUTH 60 DEGREES 44 MINUTES 41 SECONDS WEST, 150.45 FEET TO AN IRON ROD (NEW) ON THE EASTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED ELMINGTON AVENUE; THENCE,

9) WITH THE EASTERLY RIGHT-OF-WAY LINE OF ELMINGTON AVENUE, NORTH 19 DEGREES 02 MINUTES 20 SECONDS WEST, 103.76 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 17,207 SQUARE FEET OR 0.395 ACRES, MORE OR LESS AS CALCULATED BY THE ABOVE COURSES AND DISTANCES.

TRACT NO. 2

A TRACT OF LAND IN THE TWENTY-FIFTH COUNCILMANIC DISTRICT OF METROPOLITAN NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, BEING THE REMAINING PART OF LOT NO. 6 ON THE PLAN OF JOSEPH WARNER'S SUBDIVISION AS OF RECORD IN BOOK 332, PAGE 154, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A LOT SURVEY PREPARED BY H & H LAND SURVEYING, INC., JOB NUMBER 2002-991, DATED NOVEMBER 22, 2002 AND PROCEEDING AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT (OLD) ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST END AVENUE (RIGHT-OF-WAY WIDTH VARIES); SAID CONCRETE MONUMENT BEING A PART OF LOT NO. 6 AS CONVEYED TO THE STATE OF TENNESSEE AS OF RECORD IN DEED BOOK 4759, PAGE 425, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; SAID MONUMENT BEING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE,

1) LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST END AVENUE AND WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 440 (RIGHT-OF-WAY WIDTH VARIES), NORTH 80 DEGREES 11 MINUTES 30 SECONDS EAST, 61.52 FEET TO AN IRON ROD (NEW); THENCE,

2) SOUTH 53 DEGREES 09 MINUTES 52 SECONDS EAST, 46.50 FEET TO AN IRON ROD (NEW); THENCE,

3) LEAVING SAID RIGHT-OF-WAY LINE OF INTERSTATE 440, SOUTH 58 DEGREES 21 MINUTES 14 SECONDS WEST, 66.54 FEET TO AN IRON ROD (NEW) IN THE EASTERLY PROPERTY LINE OF LOT NO. 7 AS SHOWN ON THE AFOREMENTIONED PLAN OF JOSEPH WARNER'S SUBDIVISION; THENCE,

4) WITH THE EASTERLY LINE OF LOT NO. 7, IN PART, NORTH 38 DEGREES 13 MINUTES 14 SECONDS WEST, 66.58 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 3,240 SQUARE FEET OR 0.074 ACRES, MORE OR LESS AS CALCULATED BY THE ABOVE COURSES AND DISTANCES.