THIS INSTRUMENT PREPARED BY:
Barbara E. Briamonte, Esq.
Kimco Realty Corporation
3333 New Hyde Park Road
New Hyde Park, NY

Davidson County DEEDWARR
Recvd: 06/12/08 14:46 3 pgs
Fees:18.00 Taxes:257.89
20080612-0060822

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $ 69,700.00.

Affiant

Subscribed and sworn to before me this 10 day of June, 2008.

Kerry L. Henson
Notary Public
My Commission Expires: 5-22-10

KERRY L. HENSON
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 22, 2010

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ADDRESS OF NEW OWNER:	SEND TAX BILL TO:	MAP-PARCEL NO.
Harpeth Valley Utilities District of Davidson and Williamson Counties, Tennessee 5910 River Road Nashville, TN 37209	SAME	156090A01000CO

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SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TEN DOLLARS ($10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, KIMCO BARCLAY HARPETH, L.P., a Tennessee limited partnership ("Grantor") has bargained and sold, and by these presents does transfer and convey unto HARPETH VALLEY UTILITIES DISTRICT OF DAVIDSON AND WILLIAMSON COUNTIES, TENNESSEE ("Grantee"), the successors and assigns of Grantee, that certain tract or parcel of land in Davidson County, Tennessee (the "Property"), described as follows, to-wit:

See attached Exhibit A

TO HAVE AND TO HOLD the Property together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining to Grantee, the representatives, successors and assigns of Grantee, forever.

Grantor further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said Property to Grantee, the representatives, successors and assigns of Grantee, against the lawful claims of all persons whomsoever claiming by, through or under Grantor, but not further or otherwise. The

property is conveyed subject to taxes, restrictions and encumbrances as may affect the property, whether of record or not. All exhibits referred to herein are attached hereto and incorporated herein by reference. 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.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed on the 6th day of June, 2008.

GRANTOR:

KIMCO BARCLAY HARPETH, L.P., a Tennessee limited partnership

By: KD Harpeth 1356, Inc., a Tennessee corporation, its General Partner

By: Daniel C. Slattery
Name: DANIEL C. SLATTERY
Title: Executive Vice President

STATE OF ~~TENNESSEE~~ ILLINOIS)
COUNTY OF ~~DAVIDSON~~ DUPAGE)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Daniel C. Slattery, 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 Exec. Vice President of KD Harpeth 1356, Inc., a Tennessee corporation, as the General Partner of Kimco Barclay Harpeth, L.P., the within named bargainor, a Tennessee limited partnership, and that he, as such Exec. Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such Executive V.P. in its capacity as General Partner of the limited partnership.

Witness my hand and seal, at office, this the 6th day of June, 2008.

Joanna G. Isdale
Notary Public

My Commission Expires: 12/4/2010

"OFFICIAL SEAL"
JOANNA G ISDALE
NOTARY PUBLIC STATE OF ILLINOIS
COMMISSION EXPIRES 12/04/10

Exhibit A

PROPERTY DESCRIPTION – HARPETH VALLEY UTILITY DISTRICT

Commencing at an iron rod situated in the easterly margin of Temple Road, said point being the southwest corner of Parcel 8 on the Final Plat of Harpeth Village P.U.D. of record in Instrument No. 20060505-0052434, said point also being the southwest corner of the Biltmore Development, LLC property of record in Instrument No. 20070424-0048960, R.O.D.C., TN.;

Thence, leaving said road, N 79°25'51" E, a distance of 152.58 feet to a point;

Thence, S 10°34'09" E, a distance of 51.32 feet to the point of beginning of the herein described tract of land;

Thence, N 79°25'14" E, a distance of 86.57 feet to an iron rod;

Thence, S 10°34'09" E, a distance of 99.57 feet to an iron rod;

Thence, S 79°25'14" W, a distance of 60.00 feet to an iron rod;

Thence, N 10°34'09" W, a distance of 32.58 feet to an iron rod;

Thence, along a curve to the right, having a central angle of 80°13'49", a radius of 32.00 feet, a tangent of 26.96 feet, a length of 44.81 feet, and having a chord which bears N 50°41'03" W, a distance of 41.24 feet to an iron rod;

Thence, N 10°34'09" W, a distance of 35.45 feet to the point of beginning and containing 7122.866 square feet or 0.164 acres of land.

Being a portion of the same property conveyed to Kimco Barclay Harpeth, L.P. of record in Instrument No. 20060314-0029283 in the Register's Office for Davidson County, Tennessee.