(3)

THIS INSTRUMENT PREPARED BY:

Patricia Gregory
Pachter Gregory & Finocchiaro
790 Estate Drive
Suite 150
Deerfield, IL 60015

Return to:
Renee M. Holly
Fidelity National Title
200 Galleria Parkway, Ste. 2060
Atlanta, GA 30339
07atl1340

Address of New Owner and
Send Tax Bills To:

Bellevue RA, LLC
P. O. Box 680176
Prattville, AL 36068

Map & Parcel No.: 156090A00500CO

Davidson County DEEDWARR
Recvd: 06/17/08 10:16 4 pgs
Fees:23.00 Taxes:5920.00
20080617-0062369

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Kimco Barclay Harpeth, L.P., a Tennessee limited partnership (herein referred to as "Grantor") has this day bargained and sold and, by these presents, does hereby transfer and convey unto Bellevue RA, LLC, an Alabama limited liability company (herein referred to as "Grantee"), its successors and assigns, forever, the following described tract or parcel of land located in Davidson County, Tennessee, to wit (the "Property"):

Land in Davidson County, being Outparcel 5 in the Final Plat for Harpeth Village P.U.D., as shown on the Plat of record at Instrument Number 2006-0505-0052434, in the Register's Office for Davidson County, Tennessee, to which plat reference is here made for a more complete legal description. Being part of the same property conveyed to Kimco Barclay Harpeth, L.P., a Tennessee limited partnership, by quitclaim deed recorded in instrument No. 20060314-0029283, Register's Office of Davidson County, Tennessee.

This is unimproved property known as revised Outparcel 5 on Highway 100 and Temple Road, Nashville, Tennessee 37221-4212.

TO HAVE AND TO HOLD said tract or parcel of land together with all the improvements thereon and the appurtenances thereunto belonging unto the said Grantee, its heirs and assigns, in fee simple, forever.

GRANTOR COVENANTS with the said Grantee that it is lawfully seized and possessed of the Property, that it has a good and lawful right to sell and convey the Property, and that the Property is free from any lien or encumbrance whatsoever, except for applicable zoning and building regulations, real estate taxes for 2008 and subsequent years and

those matters shown on Exhibit A attached hereto and made a part hereof (the "Permitted Exceptions").

GRANTOR FURTHER COVENANTS with the said Grantee and binds itself and its heirs/successors and assigns, to warrant and forever defend the title thereto of said Property (subject, however, to the Permitted Exceptions) to the said Grantee, its heirs and assigns, against the lawful claims and demands of all persons claiming by, through or under Grantor.

ALL warranties of Grantor herein contained are expressly limited to those persons or parties claiming by, through or under Grantor.

WITNESS this the As of 13TH day of June, 2008.

GRANTOR:

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

By: KD Harpeth 1356, Inc., a Tennessee corporation

PBG By: Daniel C Slattery
Name: Daniel C. Slattery
Its: Executive Vice President

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

Personally appeared before me, JOANNA G. ISDALE, a Notary Public for the state and county aforesaid, Daniel C. Slattery, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Executive Vice President of KD Harpeth 1356, Inc., a Tennessee corporation, the general partner of KIMCO BARCLAY HARPETH, L.P., a Tennessee limited partnership, the grantor, and is authorized by the grantor to execute this Special Warranty Deed on behalf of the grantor.

WITNESS my hand and seal at office this 11th day of June, 2008.

Joanna G. Isdale
NOTARY PUBLIC

My Commission Expires:
12/4/2010



STATE OF Tennessee)
COUNTY OF Davidson)

The actual consideration or value, whichever is greater, for this transfer is: $1,600,000.00.

AFFIANT

Bellevue RA, LLC an Alabama limited liability company

By: Corporate General, Inc., an Alabama corporation,
Its Sole Manager

By: _____
Name: William A. Oldacre, Jr.
Its: Vice President

Subscribed and sworn to before me, this 12th day of June, 2008.

_____
NOTARY PUBLIC

My Commission Expires:
3/7/2011

DAWN M. HAYES
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires MAR. 7, 2011

EXHIBIT A

PERMITTED EXCEPTIONS

1. All matters shown on the plats recorded as Instrument No. 20060505-0052434 and No. 20051227-0153838, respectively, in the Register's Office of Davidson County, Tennessee.

2. Agreement for Dedication of Public Utilities and Abandonment of Existing Easement in favor of Harpeth Valley Utilities District recorded under Instrument No. 20000510-0047300 in the Register's Office of Davidson County, Tennessee.

3. Agreement for the Dedication of Easement for Water Line in favor of Harpeth Valley Utilities District as recorded under Book 8019, page 168, in the Register's Office of Davidson County, Tennessee.

4. Storm Water Detention Agreement as recorded under Instrument No. 20051219-0151714, in the Register's Office of Davidson County, Tennessee.

5. Covenants, Conditions and Restrictions as recorded under Instrument No. 20070117-0007069, in the Register's Office of Davidson County, Tennessee.

6. Declaration of Restrictions, Covenants and Conditions and Grant of Easements as recorded under Instrument No. 20070117-0007067, in the Register's Office of Davidson County, Tennessee.

7. The following matters shown on that certain ALTA /ACSM Land Title Survey prepared by Atwell-Hicks, bearing the seal of Jeffrey N. Lucas, Registered Professional Surveyor No. 2082, dated May 14, 2007, last revised April 1, 2008:

    a. Sanitary sewer manholes and pipes located throughout subject property;

    b. Sanitary sewer stub located in the southwesterly quadrant of subject property; and

    c. Centerline of storm sewer pipe runs parallel along northern property line.