Davidson County DEEDQC
Recvd: 06/26/08 15:50 2 pg
Fees:12.00 Taxes:0.00
20080626-0066101

QUITCLAIM DEED

Address New Owner:	Send Tax Bills To:	Map-Parcel No.:
Biltmore Development, LLC 209 Gothic Court, Suite 108 Franklin, TN 37067	Same	Map 156-9-A Parcel 9

THIS INSTRUMENT PREPARED BY:
J. Steven Kirkham, Esq.
Waller Lansden Dortch & Davis, LLP
511 Union Street, Suite 2700
Nashville, TN 37219

STATE OF Tennessee
COUNTY OF DAVIDSON

The actual consideration for this transfer is $0.00.

Affiant

Subscribed and sworn to before me, this the 26th day of June 2008.

NOTARY PUBLIC

My Commission Expires: 5-22-10

LINDA J. BOGGESS
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 22, 2010

FOR AND IN CONSIDERATION of the sum of One and No/100 ($1.00) Dollar, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Kimco Barclay Harpeth, L.P.**, a Tennessee limited partnership, hereinafter called "Grantor," has this day bargained and sold, and does hereby quitclaim and convey unto **Biltmore Development, LLC**, hereinafter called "Grantee," its heirs and assigns, all of Grantor's interest, if any, in and to certain real estate in Davidson County, Tennessee, described as follows:

Open Space 'A', on the plat of the Resubdivision of Open Space, Harpeth Village P.U.D., Land in Davidson County, Tennessee being of record under Instrument No. 20080618-0062694, Register's Office for Davidson County, Tennessee to which plat reference is hereby made for a complete description

This property is conveyed subject to taxes, restrictions, and encumbrances as may affect the same, whether of record or not.

IN WITNESS WHEREOF, the Grantors have executed this instrument as of the 24th 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: _____
Name: DANIEL C. SLATTERY
Title: Executive Vice President

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

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 Executive Vice President of KD Harpeth 1356, Inc., as the General Partner of Kimco Barclay Harpeth, L.P. the within named bargainor, a Tennessee limited partnership, and that he, as such Executive 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 Executive Vice President.

Witness my hand and seal, at office in Lisle, IL, this the 24th day of June, 2008.

_____
NOTARY PUBLIC

My Commission Expires: 12/4/2010

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