Davidson County DEEDWARR
Recvd: 12/01/08 11:37 5 pgs
Fees:28.00 Taxes:2277.41
20081201-0116283

This instrument prepared by:

Donald J. Healy Jr
Metropolitan Life Insurance Company
125 S. Wacker Drive, Ste. 1100
Chicago, Illinois 60606

CORPORATE
SPECIAL
WARRANTY DEED –TN

THIS INDENTURE, made and entered into as of this November 21, **2008**, by and between **METROPOLITAN LIFE INSURANCE COMPANY,** a New York corporation ("Grantor"), and **ASHITA, LLC,** a Texas limited liability company ("Grantee"),

WITNESSETH: That for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto Grantee the following described Real Estate, situated and being in the County of Davidson, State of **Tennessee**, to wit (the "Property"):

See Legal Description attached hereto as Exhibit "A" and made a part hereof

This conveyance is made subject to those matters set forth on **Exhibit "B"** (the "Permitted Exceptions") attached hereto and made a part hereof:

GRANTEE AND ANY PERSON OR ENTITY ACQUIRING ANY RIGHT, TITLE AND INTEREST IN AND TO THE PROPERTY, OR ANY PORTION THEREOF, BY VIRTUE OF THEIR CURRENT OR FUTURE OWNERSHIP OF, OR SUCCESSION TO, ANY RIGHTS OR INTERESTS TO OR IN ALL OR ANY PORTION OF THE PROPERTY, DO HEREBY AND THEREBY WAIVE, RELEASE AND COVENANT NOT TO SUE GRANTOR, ITS CORPORATE SUCCESSORS, ASSIGNS, PREDECESSORS, SUBSIDIARIES, AFFILIATES, AGENTS, EMPLOYEES, CONTRACTORS, CONSULTANTS, REPRESENTATIVES, OFFICERS, DIRECTORS AND/OR SHAREHOLDERS, AND FROM EACH AND EVERY OF THE RELEASED CLAIMS (AS HEREINAFTER DEFINED). "RELEASED CLAIMS" SHALL MEAN ALL CLAIMS, DAMAGES, LOSSES, CASUALTIES, DEMANDS, LIABILITIES, COSTS AND EXPENSES, INCLUDING WITHOUT LIMITATION ATTORNEYS' FEES AND COSTS OF EVERY NATURE WHATSOEVER, WHETHER AT LAW, IN EQUITY, BY STATUTE, COMMON LAW OR

REGULATION NOW EXISTING OR HEREAFTER ARISING, WHETHER NOW KNOWN OR UNKNOWN, LIQUIDATED OR UNLIQUIDATED, MATERIAL OR CONTINGENT, RESULTING FROM THE PRESENCE OF ANY HAZARDOUS SUBSTANCES, HAZARDOUS WASTES, TOXIC SUBSTANCES, OR POLLUTANTS AT, ABOUT OR FROM THE PROPERTY.

TO HAVE AND TO HOLD, subject to the Permitted Exceptions, the aforesaid Property together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Grantor, its successors and assigns in fee simple forever, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

WITNESS the signature of Grantor on the day and year first above written.

METROPOLITAN LIFE INSURANCE COMPANY, a New York corporation

By: Elizabeth S Clark
Name: Elizabeth S Clark AME
Title: Director Fmc

State of Illinois)

County of Cook)

Before me, (name of notary public) of the State and County mentioned, personally appeared with whom I personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged such person to be (president or other officer authorized to execute the instrument) of Metropolitan life Insurance Company the within named bargained, a corporation, and that such (president or other officer), executed the foregoing instrument for the purposed therein contained, by personally signing the name of the corporation as (president or other officer).

Witness my hand and Seal at office in this November 21, 2008.

Thais Ascanio
Notary Public

After Recording Return to New Owner at:
ASHITA, LLC
3026 FM 2094
League City, Texas 77573
Attn: Aslam Virani

Send Tax Bills to:
ASHITA, LLC
3026 FM 2094
League City, Texas 77573
Attn: Aslam Virani

Notary Seal present, but could not be reproduced.
Bill Garrett
Davidson County Register of Deeds

Exhibit "A"
Legal Description

BEING A 0.568 ACRE TRACT OF LAND LYING IN THE FIRST CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, AND BEING THE NATIONAL CONVENIENCE STORES, INC., PROPERTY AS OF RECORD IN DEED BOOK 6730, PAGE 996, REGISTER'S OFFICE DAVIDSON COUNTY, TENNESSEE, AND BEING LOT TWO ON THE PLAN OF BURTON SUBDIVISION AS OF RECORD IN PLAT BOOK 5200, PAGE 374, REGISTER'S OFFICE DAVIDSON COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT A POINT IN THE NORTHERLY MARGIN OF HARDING PLACE, SAID POINT BEING IN THE CENTERLINE OF MILNER DRIVE; THENCE WITH THE NORTHERLY MARGIN OF HARDING PLACE IN AN EASTERLY DIRECTION, A DISTANCE OF 393.85 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND ½" IRON PIN AND THE MOST SOUTHEASTERLY CORNER OF LOT 1 ON THE AFOREMENTIONED PLAN OF BURTON SUBDIVISION AND THE MOST SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE LEAVING THE NORTHERLY MARGIN OF HARDING PLACE AND WITH THE COMMON LINE OF THE HEREIN DESCRIBED TRACT AND SAID LOT 1 NORTH 26 DEGREES, 44 MINUTES, 33 SECONDS WEST A DISTANCE OF 93.85 FEET TO A FOUND ½" IRON PIN IN THE SOUTHERLY LINE OF ELYSIAN PARK SUBDIVISION, SECTION TWO, AS OF RECORD IN BOOK 2854, PAGE 40, REGISTER'S OFFICE DAVIDSON COUNTY, TENNESSEE; THENCE WITH THE COMMON LINE OF THE HEREIN DESCRIBED TRACT AND SAID ELYSIAN PARK SUBDIVISION NORTH 73 DEGREES, 19 MINUTES, 50 SECONDS EAST, PASSING A FOUND 4" SQUARE CONCRETE MONUMENT AT 355.77 FEET, SAID MONUMENT BEING THE MOST SOUTHEASTERLY CORNER OF SAID ELYSIAN PARK SUBDIVISION, THENCE CONTINUING NORTH 73 DEGREES, 19 MINUTES, 50 SECONDS EAST WITH THE COMMON LINE OF THE HEREIN DESCRIBED TRACT AND THE BRUCE E. MOORE ET AL PROPERTY AS OF RECORD IN BOOK 7089, PAGE 675, REGISTER'S OFFICE DAVIDSON COUNTY, TENNESSEE, A DISTANCE OF 179.55 FEET, A TOTAL DISTANCE OF 535.32 FEET TO A FOUND ½" IRON PIN IN THE NORTHERLY MARGIN OF HARDING PLACE; THENCE WITH SAID NORTHERLY MARGIN OF HARDING PLACE SOUTH 63 DEGREES, 14 MINUTES, 03 SECONDS WEST A DISTANCE OF 527.07 FEET TO THE POINT OF BEGINNING, CONTAINING 0.568 ACRES.

Tax Map-Parcel # 147-03-51

Property Address: 440 Harding Place, Nashville, TN

Being the same property conveyed to Metropolitan Life Insurance Company by General Warranty Deed of Record in Book 7816, Page 310, Register's Office for Davidson County, Tennessee

Exhibit "B"
Permitted Exceptions

(a) All liens, encumbrances, easements, covenants, conditions and restrictions of record, including any matters shown on any subdivision or parcel map affecting the Property.

(b) All exceptions appearing in a certain policy of title insurance for the Property issued to the Grantee as of the date hereof.

(c) All matters which would be revealed or disclosed in an accurate survey of the Property.

(d) All matters which would be revealed or disclosed by a physical inspection of the Property.

(e) Interests of tenants in possession.

(f) A lien not yet delinquent for taxes for real property and personal property, and any general or special assessments against the Property.

(g) Zoning ordinances and regulations and any other laws, ordinances, or governmental regulations restricting or regulating the use, occupancy or enjoyment of the Property.

(h) Any mineral or mineral rights leased, granted or retained by current or prior owners.

(i) All matters as shown on plats of record in Plat Book 6050, page 416 and Plat Book 421, page 8, Register's Office for Davidson County, Tennessee.

(j) Memorandum of Lease of record in Book 7816, page 316, said Register's Office.

(k) Ground Lease of record in Book 6766, page 86, said Register's Office, as assigned by Assignment of Lease of record in Book 7821, page 339, said Register's Office, and as assigned by Assignment of Lease of record in Instrument No. 20010503-0045715, said Register's Office.

(l) Restrictions retained in Deed of record in Book 6730, page 996, in said Register's Office.

Site 38

MetLife Store No. 50

VALUE AFFIDAVIT
(FOR TENNESSEE PROPERTIES)

STATE OF ILLINOIS

COUNTY OF COOK

The actual consideration or value, whichever is greater, for the transfer of the property with a street address of 440 Harding Place, Nashville Tennessee is $615,517.00.

Affiant:

Metropolitan Life Insurance Company

Matthew W. Shaples NAME

By: Matthew W. Shaples
Its: Director

Subscribed and sworn to before me this 21st day of November, 2008.

Alina M. Evangelou
Notary Public

My Commission Expires: 12/26/2011

"OFFICIAL SEAL"
ALINA M. EVANGELOU
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12/26/2011

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