Davidson County DEEDWARR
Recvd: 12/01/08 11:41 6 pgs
Fees:33.00 Taxes:2277.41
20081201-0116285

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.

Notary Seal present,
but could not be reproduced.

Bill Garrett
Davidson County Register of Deeds

**METROPOLITAN LIFE INSURANCE COMPANY,** a New York corporation

By: Elizabeth S. Clark
Name: Elizabeth S. Clark
Title: Director

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.

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

**Exhibit "A"**
**Legal Description**

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT 1 ON THE PLAN OF HOT STOP SUBDIVISION AS OF RECORD IN PLAT BOOK 6250, PAGE 331, R.O.D.C., TENNESSEE AND ALSO SITUATED IN THE SOUTHWEST CORNER OF MURFREESBORO PIKE AND FRANKLIN LIMESTONE ROAD AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT POINT OF REFERENCE, SAID POINT BEING THE INTERSECTION OF SOUTH RIGHT-OF-WAY LINE OF FRANKLIN LIMESTONE ROAD (50' R.O.W.) WITH WESTERN RIGHT-OF-WAY OF MURFREESBORO PIKE (100' R.O.W.), THENCE ALONG THE SOUTH RIGHT-OF-WAY OF FRANKLIN LIMESTONE I ROAD, S 66° 19' 45" W 135.79 FEET TO AN IRON PIN FOUND, SAID IRON PIN BEING THE POINT BEGINNING; THENCE WITH SAID RIGHT-OF-WAY N 66° 19' 45" E 110.79 FEET TO AN IRON PIN PLACED, THE BEGINNING OF A CURVE TO THE RIGHT; THENCE WITH THE CHORD OF SAID CURVE HAVING A RADIUS OF 30.99 FEET, A LENGTH OF 42.07 FEET AND AN INTERIOR ANGLE OF 77° 46' 34", S 74° 50' 54" E 38.87 FEET TO AN IRON PIN PLACED IN THE WESTERN RIGHT-OF-WAY MARGIN OF MURFREESBORO PIKE, THE BEGINNING OF A CURVE TO THE RIGHT; THENCE WITH THE CHORD OF SAID CURVE HAVING A RADIUS OF 2242.0 FEET, A LENGTH OF 145.00 FEET AND INTERIOR ANGLE OF 3° 42' 22", S 33° 41' 20" E 145.00 FEET TO AN IRON PIN FOUND; THENCE LEAVING THE RIGHT-OF-WAY OF MURFREESBORO PIKE, S 57° 16' 50" W 163.06 FEET TO AN IRON PIN FOUND; THENCE N 36° 33' 40" W 58.50 FEET TO AN IRON PIN FOUND; THENCE N 20° 23' 26" W 136.0 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 0.6438 ACRES OR 28,047 SQUARE FEET.

Tax Map-Parcel # 135-00-061

Property Address: 2101 Murfreesboro, Nashville, TN

Being the same property conveyed to Metropolitan Life Insurance Company by General Warranty Deed of record in Book 7816, Page 321, 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 plat of record in Book 6250, page 331, Register's Office for Davidson County, Tennessee.

(j) Deed of Trust from Joseph Carr McConnell to David L. Shirmeyer, Trustee for the benefit of Mortgage Associates, Inc., a Delaware corporation dated August 20, 1975 and recorded on August 20, 1975 in Book 4945, Page 324, Register's Office for Davidson County, Tennessee, in the original amount of $19,000.00.

(k) Consent and Waiver of record in Book 6782, page 441, said Register's Office.

(l) Memorandum of Lease of record in Book 7816, page 327, as assigned by Assignment of Lease of record in Instrument No. 20010503-0045716, said Register's Office.

(m) Agreement for Dedication of Easement of record in Book 6581, page 224 in the Register's Office, Davidson County, Tennessee.

(n) Agreement for Dedication of Easement of record in Book 6229, page 493 in the Register's Office, Davidson County, Tennessee.

Site 39
MetLife Store No. 51

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 2101 Murfreesboro, Nashville, Tennessee, is $615,517.00.

Affiant:

Metropolitan Life Insurance Company

Matthew W. Sharples
By: Matthew W. Sharples
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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