Davidson County DEEDWARR
Recvd: 01/05/09 14:29 6 pgs
Fees:33.00 Taxes:47138.00
20090105-0000817

Address New Owner:	Map-Parcel Numbers:	Send Tax Bills To:
WE Chimneytop LLC c/o White Eagle Property Group, LLC 386 Route 59, Suite 201, Monsey, New York 10952	Map 162, Parcel 209	WE Chimneytop LLC c/o White Eagle Property Group, LLC 386 Route 59, Suite 201 Monsey, New York 10952
This instrument prepared by: Steven J. Ismert, Esq. 1801 California St., #3100, Denver, CO 80202		

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and 00/100 DOLLARS ($10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, **CHIMNEYTOP-OXFORD ASSOCIATES, L.P.**, an Indiana limited partnership (the "Grantor") has bargained and sold, and by these presents transfers and conveys to **WE CHIMNEYTOP LLC**, a Tennessee limited liability company (the "Grantee"), Grantee's heirs, successors and assigns, certain land in Davidson County, State of Tennessee, being more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference (the "Property").

BEING the same property described in and conveyed to the Grantor herein by Warranty Deed of record in Deed Book 6092, Page 416, in the Register's Office of Davidson County, Tennessee.

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the matters set forth on Exhibit B hereto (the "Permitted Exceptions").

This is improved property, known and numbered as 100 Chimneytop Drive, Antioch, Tennessee 37013.

TO HAVE AND TO HOLD the Property, with all appurtenances, estate, title, and interest thereto belonging to the Grantee, Grantee's heirs, successors and assigns, forever.

Grantor covenants with the Grantee that the Property is free from all encumbrances made or suffered by Grantor, except to the extent otherwise set forth herein.

Grantor further covenants and binds itself to warrant and forever defend the title to the Property to the Grantee, Grantee's heirs, successors and assigns against the lawful claims of all persons whomsoever claiming by, through or under Grantor, except that no warranty is made as to the amount of acreage in the Property.

[*Signature page to follow*]

IN WITNESS WHEREOF, the Grantor has executed this Deed this 16th day of December, 2008.

Signed and Delivered
in the presence of:

Lucille G Cordova
Name: Lucille G. Cordova

Debra A. McDonald
Name: Debra A. McDonald

CHIMNEYTOP-OXFORD ASSOCIATES, L.P.,
an Indiana limited partnership

By: AIMCO/CHIMNEYTOP, L.L.C., a Delaware limited liability company, its managing general partner

By: AIMCO PROPERTIES, L.P., a Delaware limited partnership, its member

By: AIMCO-GP, INC., a Delaware corporation, its general partner

By: _____
Name: Brian J. Bornhorst
Title: Vice President

STATE OF COLORADO
COUNTY OF DENVER

Before me Brian J. Bornhorst on this day personally appeared and known to me (or proved to me on the oath of _____) to be the person whose name is subscribed to the foregoing instrument, and known to me to be the Vice President of AIMCO-GP, INC., a Delaware corporation, general partner of AIMCO PROPERTIES, L.P., a Delaware limited partnership, member of AIMCO/CHIMNEYTOP, L.L.C., a Delaware limited liability company, managing general partner of **CHIMNEYTOP-OXFORD ASSOCIATES, L.P.**, an Indiana limited partnership, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said company.

Given under my hand and seal of office this 15th day of December, 2008.

(NOTARY SEAL)

K. BALTHASER
NOTARY
PUBLIC
STATE OF COLORADO
My commission expires 02/24/2010

_____
Notary Public, State of Colorado
Printed Name: K. Balthaser
My Commission Expires: February 24, 2010

AFFIDAVIT OF VALUE

STATE OF TENNESSEE

COUNTY OF SHELBY

I hereby swear or affirm that the actual consideration for this transfer or the value of the property transferred, whichever is greater, is Twelve Million Seven Hundred Forty Thousand and No/100 Dollars ($12,740,000.00).

Affiant

Subscribed and sworn to before me this 17th day of December, 2008.

Notary Public

My Commission Expires: 10/26/10

LYNDA S. DAVENPORT
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY
My Commission Expires October 26, 2010

4831-7538-2531.1
AIMCO / Chimney Top (TN)
PS #038804
File No: 5519/02-126

EXHIBIT A
Legal Description

THE LAND REFERREED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DAVIDSON, STATE OF TENNESSEE, AND IS DESCRIBED AS FOLLOWS: Situated in the Second Civil District of Metropolitan Nashville, County of Davidson, State of Tennessee, being that tract described in a deed from William W. Berry, Jr., Trustee to Chimneytop-Oxford Associates dated July 1, 1983 and recorded in Book 6092, Page 416, Deed Records of Davidson County, Tennessee and being further described by metes and bounds as follows:

BEGINNING at a 4"x4" concrete monument found (broken) in the west line of Cane Ridge Road (60 feet wide) for the northeast corner of the Chimneytop-Oxford tract and the southeast corner of a tract of land conveyed to Bell Hollow Limited Partnership recorded in Book 8365, Page 823, Deed Records of Davidson County, Tennessee;

THENCE leaving the Bell Hollow tract with the west line of Cane Ridge Road, the following three courses:

1) S 22°03'14" E 158.13 feet to a ½" rebar found with cap stamped "Millman 1857";
2) with a curve to the left having the following characteristics: radius=474.70 feet, arc length=308.83 feet, delta angle=37°16'30" and a chord bearing and distance of S 40°37'15" E 303.41 feet to a ½" rebar found with cap stamped "Millman 1857";
3) S 59°15'30" E (this course being the bearing basis for this description) 84.12 feet to a 5/8" rebar found with cap stamped "FV Clinkscales TN1460" for the most easterly corner of the Chimneytop-Oxford tract and a northeast corner of a tract of land conveyed to Starwood Properties Four, LTD recorded in Book 8577, Page 55, Deed Records of Davidson County, Tennessee;

THENCE leaving Cane Ridge Road with the southerly lines of the Chimneytop-Oxford tract and the northerly lines of the Starwood Properties tract, the following four courses:

1) S 37°06'00" W 333.91 feet to a 5/8" rebar found with cap stamped "FV Clinkscales TN1460";
2) N 85°21'30" W 1100.00 feet to a 5/8" rebar found with cap stamped "Wamble";
3) N 32°21'30" W 464.09 feet to ½" rebar found (bent);
4) N 89°56'52" W 575.88 feet to a 4"x4" concrete monument found with brass disc stamped "Cumberland of Nashville" in the east line of a tract of land conveyed to Arbor Knoll/Crest, LLC recorded in Document #20041222-0152521, Deed Records of Davidson County, Tennessee;

THENCE leaving the Starwood Properties tract with the west lines of the Chimneytop-Oxford tract and easterly lines of the Arbor Knoll/Crest tract and the easterly lines of a tract of land conveyed to Mission Mill Creek, DST in Document #20070321-0034537, Deed Records of Davidson County, Tennessee, the following five courses:

1) N 03°28'40" E 150.78 feet to a 3/8" rebar found;
2) N 04°52'26" E 280.05 feet to a 5/8" rebar found with cap stamped "FV Clinkscales TN1460";
3) S 78°27'00" E 236.96 feet to a 4"x4" concrete monument found with brass disc stamped "Cumberland of Nashville";
4) N 09°13'00" W 99.32 feet to a 4"x4" concrete monument found with brass disc stamped "Cumberland of Nashville;"
5) N 20°41'59" E 322.75 feet to a 4"x4" concrete monument found with brass disc stamped "Cumberland of Nashville" for the northwest corner of the Chimneytop-Oxford tract and the southwest corner of the previously mentioned Bell Hollow Limited Partnership tract;

THENCE leaving the Mission Mill tract, with the northerly lines of the Chimneytop-Oxford tract and the southerly lines of the Bell Hollow tract, the following four courses:

1) S 71°47'20" E 188.15 feet to a 4"x4" concrete monument found with brass disc stamped "Cumberland of Nashville";
2) S 86°01'20" E 368.36 feet to a 5/8" rebar found;
3) S 10°32'02" E 526.02 feet to a 5/8" rebar found (bent);
4) N 88°14'54" E 787.60 feet to the POINT OF BEGINNING,

more or less, and is subject to all legal highways and easements of record.

EXHIBIT B

Permitted Exceptions

1. Taxes and assessments for the year 2008, and all subsequent years, are due but not yet delinquent.
2. Subject to all matters of record in Plat Book 5200, Page 550, said Register's Office and as shown on plat prepared by John Norwood, RLS TN No. 1857, dated December 1, 2008, last revised December 16, 2008, including but not limited to:

   a. Emergency Ingress & Egress Easement;
   b. Two Hundred Foot Minimum Building Setback Line;
   c. Anchor Easement

3. Easements and agreements as contained in Common Use Agreement of record in Book 6410, Page 65, in the Register's Office for Davidson County, Tennessee; said instrument having been amended by Amendment to Common Use Agreement of record in Book 8737, Page 131, in said Register's Office; said instrument having been partially released by Partial Termination Agreement and Release of record in Book 11582, Page 679, in said Register's Office.
4. Storm Water Detention Agreement of record in Book 6145, Page 263, in the Register's Office for Davidson County, Tennessee.
5. Rights of parties in possession under the terms, covenants and conditions of leases as tenants only under residential leases with no purchase option or right of first refusal.
6. Agreement for Dedication of Easement for Sanitary Sewers And/Or Storm Drainage of record in Book 6434. Page 756, in the Register's Office for Davidson County, Tennessee and as shown on plat prepared by John Norwood, RLS TN No. 1857, dated December 1, 2008, last revised December 16, 2008.
7. Matters as shown on plat prepared by John Norwood, RLS TN No. 1857, dated December 1, 2008, last revised December 16, 2008, as follows:

   a. Encroachment of metal fence over and onto adjoining property;
   b. Encroachment of shed over and onto adjoining property;
   c. Encroachment of building over and into twenty foot front building setback line;
   d. Encroachment of concrete curbs over and into right of way known as Cane Ridge Road.