# SPECIAL WARRANTY DEED
(MILL CREEK)

This document prepared by:
(and return to )
Mitch Padover, Esq.
Kutak Rock LLP
8601 N. Scottsdale Road, Suite 300
Scottsdale, AZ 85253-2742

BILL GARRETT, Davidson County
Trans:T20090021573 DEEDWARR
Recvd: 04/01/09 14:43 6 pgs
Fees:33.00 Taxes:17589.53
20090401-0029395

| Name and Address of Property Owner: | Send Tax Bills To: | Map and Parcel Numbers: |
|---|---|---|
| Cole WG Antioch TN, LLC<br>c/o Cole Real Estate Investments<br>2555 E. Camelback Road, Suite 400<br>Phoenix, AZ 85016<br>Attn: Legal Department | Walgreen Co.<br>MS#1435<br>104 Wilmot Road<br>Deerfield, IL 60015 | 162-285.00<br>000124232<br>000132553 |

THIS INDENTURE, made as of the 31 day of March, 2009, by and between CRE Mill Creek Triple Net Holdings LLC, a Delaware limited liability company, whose address is 1285 Avenue of the Americas, New York, New York 10019 ("Grantor"), and Cole WG Antioch TN, LLC, a Delaware limited liability company, whose address is c/o Cole Real Estate Investments, 2555 East Camelback Road, Suite 400, Phoenix, Arizona 85016, Attention: Legal Department ("Grantee").

WITNESSETH:

THAT Grantor, in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does by these presents, sell, grant, convey and transfer unto the said Grantee, its successors and assigns, the lots, tracts or parcels of land lying, being and situated at 1301 Bell Road, in the City of Antioch, County of Davidson, State of Tennessee, and more fully described on Exhibit A attached hereto and incorporated herein by reference, together with all improvements located thereon.

TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said Grantee and unto Grantee's successors and assigns forever, the said Grantor hereby covenanting that Grantor will forever warrant and defend the title to said premises unto the said Grantee and unto Grantee's successors and assigns, against the lawful claims and demands of all persons claiming by, under or through Grantor, but not otherwise.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has delivered this Special Warranty Deed on the day and year first above written.

**SELLER:**

**CRE MILL CREEK TRIPLE NET HOLDINGS LLC,**
a Delaware limited liability company

By: Raquel Small
Name: Rachel Small
Title: Authorized Signatory

By:
Name: Henry Chung
Title: Authorized Signatory

STATE OF NEW YORK )
) ss:
COUNTY OF NEW YORK )

On the 25 day of March, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Racquel Small, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

MICHAEL S ESTREICHER
Notary Public, State of New York
No. 02ES6164325
Qualified in New York County
Commission Expires April 16, 2011

STATE OF NEW YORK )
) ss:
COUNTY OF NEW YORK )

On the 25 day of March 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Henry Chung, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

MICHAEL S ESTREICHER
Notary Public, State of New York
No. 02ES6164325
Qualified in New York County
Commission Expires April 16, 2011

ACKNOWLEDGMENT(S)

STATE OF NEW YORK )
) SS
COUNTY OF NEW YORK )

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $4,753,927.00.

Raquel Snell
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 25
DAY OF March, 2009.

Michael S. Estreicher
NOTARY PUBLIC

My Commission expires: April 16, 2011

MICHAEL S ESTREICHER
Notary Public, State of New York
No. 02ES6164325
Qualified in New York County
Commission Expires April 16, 2011

STATE OF NEW YORK )
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NOTARY PUBLIC

My Commission expires: April 16, 2011

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Notary Public, State of New York
No. 02ES6164325
Qualified in New York County
Commission Expires April 16, 2011

## EXHIBIT A

All that tract or parcel of land lying and being in Davidson County, Tennessee, and being more particularly described as follows:

Being Lot 4 of Final Plat of Mill Creek Village as recorded in Instrument Number 20011228-0143701, Register's Office of Davidson County, Tennessee, located in the 31st Councilmanic District of Davidson County, Tennessee and being more particularly described as follows:

Beginning on the northern right-of-way of Bell Road, at the Blue Hole Road intersection, being a Southeast corner of Lot 4, of Final Plat of Mill Creek Village as recorded in Instrument Number 20011228-0143701, Register's Office for Davidson County; said corner being iron pin, found at The True Point of Beginning of the herein described tract.

Thence, with the north line Bell Road right-of-way, North 74 degrees 14 minutes 40 seconds West, a distance of 218.91 feet to an iron pin set at the southwesterly corner of said Lot 4; Thence, leaving said Bell Road right-of-way, and along the westerly line of said Lot 4, North 15 degrees 50 minutes 40 seconds East, a distance of 258.59 feet to an iron pin found; Thence, along the north line of said Lot 4, South 74 degrees 10 minutes 27 seconds East, a distance of 218.90 feet to an iron pin set; Thence, along the east line of said Lot 4, South 15 degrees 50 minutes 32 seconds West, a distance of 258.32 feet to The True Point of Beginning, containing 1.30 acres or 56,577 square feet, more or less.

Being the same property conveyed to CRE Mill Creek Triple Net Holdings LLC, a Delaware limited liability company by Deed from Mill Creek Associates, G.P., a Georgia general partnership dated February 28, 2006, recorded March 16, 2006 in Instrument No. 20060316-0030676 in the Register's Office for Davidson County, Tennessee.

Together with the right, title and interest of Grantor to the following:

1. That certain real estate easement rights appurtenant to Lot 4, pursuant to Declaration of Drainage Easement recorded March 22, 2002, in Instrument No. 20020322-0035170, aforesaid records.

2. That certain real estate easement rights appurtenant to Lot 4, pursuant to Declaration of Easements, Covenants, Conditions and Restrictions by Mill Creek Associates, G.P., a general partnership, dated November 8, 2001, recorded November 16, 2001, in Instrument No. 20011116-0125963, aforesaid records; as amended by First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions, dated March 20, 2002, recorded March 22, 2002, in Instrument No. 20020322-0035168, aforesaid records; as amended by Second Amendment to Declaration of Easements, Covenants, Conditions and Restrictions, dated January 22, 2004, recorded January 27, 2004, in Instrument No. 20040127-0010356, aforesaid records.

3. That certain real estate Easement Rights to Non-Exclusive Easement for drainage contained in that certain Declaration of Drainage Easement recorded November 16, 2001, in Instrument No. 20011116-0125961, aforesaid records, appurtenant to Lot 4.