JVR

FROM: Stephen C. Baker, Substitute Trustee
TO: TN Bell Road Land Holdings LLC

Address New Owner as follows:	Send Tax Bills to:	Map-Parcel No.
TN Bell Road Land Holdings LLC	c/o Trimont Real Estate Advisors	
c/o Lehman Brothers Holdings Inc.	3424 Peachtree Road NE	Map 162,
1271 Avenue at the Americas	Suite 2200	Parcels 250 & 222
39th Floor	Atlanta, GA 30326	
New York, NY 10020	Attn: Steve Griffin	

This instrument prepared by: Waller Lansden Dortch & Davis, LLP, Stephen C. Baker, Esq., 511 Union Street, Suite 2700, Nashville, Tennessee 37219-1760

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $1,000,000.00.

Affiant

Subscribed and sworn to before me, this the 7th day of December, 2009.

Notary Public

DOLORES M. BARTLEY STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY, TENN.

My Commission Expires JULY 31, 2011

My Comm. Expires: 7-31-2011

BILL GARRETT, Davidson County
Trans: T20090082869 DEEDTRS
Recvd: 12/08/09 10:19 7 pgs
Fees: 38.00 Taxes: 3700.00
20091208-0112168

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Tennessee Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing, dated August 9, 2007, of record as Instrument No. 20070816-0098049, Register's Office for Davidson County, Tennessee, hereinafter referred to as "Deed of Trust", Bell Road Vacant Land LLC, a Delaware limited liability company, conveyed to Mid-South Title Corporation, Memphis, Tennessee, Trustee, the hereinafter described real estate, hereinafter referred to as "Property", to secure an indebtedness evidenced by a note of even date therewith, which note is fully described in the Deed of Trust, hereinafter referred to as the "Note"; and

WHEREAS, Stephen C. Baker of Davidson County, Tennessee, has been appointed as Substitute Trustee in the place and stead of Mid-South Title Corporation, said appointment being of record as Instrument No. 20091106-0102918, said Register's Office; and

WHEREAS, default occurred in the payment of the Note, and in accordance with the terms of the Note and Deed of Trust, the holder thereof declared the entire indebtedness due and owing; and

WHEREAS, the owner and holder of the indebtedness directed Stephen C. Baker, Substitute Trustee, to sell the Property, and in accordance with the terms thereof, and pursuant to said direction, Stephen C. Baker, Substitute Trustee, did advertise the Property for sale as provided in the Deed of Trust and Note, and the Property was advertised to be sold at 12:00 noon, on Monday, December 7, 2009, in the lobby of the Courthouse at 1 Public Square, Nashville, Davidson County, Tennessee, at public auction for cash, and in bar of the equity of redemption and all other rights of redemption, statutory or otherwise (including, without limitation, those right of redemption contained in Tennessee Code Annotated Sections 66-8-101, et seq.), homestead, dower, elective share, rights of appraisement of valuation, and all other rights and exemptions of every kind, all of which are expressly waived in the Deed of Trust; and the advertisement of sale was duly published in THE CITY PAPER, a newspaper of general circulation in Davidson County, Tennessee, on November 16, 23 and 30, 2009, and

WHEREAS, at the time and place of said sale, and upon the Property being offered under the terms hereinabove set forth, TN Bell Road Land Holdings LLC was the highest and best bidder;

NOW, THEREFORE, the undersigned, Stephen C. Baker, Substitute Trustee, pursuant to the bid of Stephen C. Baker as agent for TN Bell Road Land Holdings LLC, acknowledges receipt of the sum of One Million Dollars and No/100 ($1,000,000.00), which was the highest bid, and for and in consideration of said bid, has bargained and sold, and by these presents does hereby transfer and convey unto TN Bell Road Land Holdings LLC, a Delaware limited liability company, its successors and assigns, the following described real estate in Davidson County, Tennessee:

Tax Map and Parcel No. 162-00-0-250.00

A certain parcel of real property on the south side of Bell Road in the 31st Councilmanic District of Nashville and Davidson County, Tennessee being more particularly described in a survey by Walter Davidson and Associates on May 9, 1996 entitled Boundary Survey Lots 2A & 2B, Millwood Commons and as follows:

Commencing at the intersection of the centerlines of Bell Road and Blue Hole Road; thence North 80 degrees 32 minutes 46 seconds West a distance of 2360 feet more or less to a point in the Southern right-of-way of Bell Road, said point being the true point of beginning; thence leaving said right-of-way South Beginning at a point; thence South 02 degrees 10 minutes 085 seconds West a distance of 583.78 feet to a point; thence South 87 degrees 09 minutes 33 seconds East a distance of 664.27 feet to a point; thence North 12 degrees 43 minutes 44 seconds east a distance of 204.48 feet to a point; thence South 85 degrees 43 minutes 21 seconds east a distance of 399.57 feet to a point; thence South 65 degrees 19 minutes 11 seconds east a distance of 1131.63 feet to a point on the

western right-of-way of Blue Hole Road; thence, with said right-of-way; around a curve to the right through a central angle of 17 degrees 35 minutes 40 seconds an arc distance of 287.12 feet a chord bearing of South 34 degrees 19 minutes 15 seconds West a distance of 285.99 feet to a point; thence South 43 degrees 07 minutes 05 seconds West a distance of 363.25 feet to a point; around a curve to the left through a central angle of 05 degrees 50 minutes 39 seconds an arc distance of 99.45 feet a chord bearing of South 40 degrees 11 minutes 46 seconds West a distance of 99.41 feet to a point; thence South 37 degrees 16 minutes 26 seconds West a distance of 311.37 feet to a point; thence, leaving said right-of-way, with the common line with William B. Owen as of record in Book 8996, page 252, R.O.D.C.T., North 85 degrees 16 minutes 45 seconds West a distance of 601.84 feet to a point; thence South 05 degrees 45 minutes 31 seconds West a distance of 299.53 feet to a point; thence, leaving said right-of-way with the common line with William B. Owen as of record in Book 8996, page 252 R.O.D.C.T., South 05 degrees 45 minutes 31 seconds West a distance of 30.50 feet to a point; thence North 68 degrees 08 minutes 20 seconds West a distance of 252.73 feet to a point; thence North 79 degrees 33 minutes 55 seconds West a distance of 924.19 feet to a point in the common line with Edward R. Fann et ux as of record in Book 616l , page 731 R.O.D.C.T.; thence, with said common line, North 07 degrees 26 minutes 16 seconds East a distance of 182.33 feet to a point; thence, leaving said common line, North 07 degrees 26 minutes 16 seconds East a distance of 750.74 feet to a point; thence North 83 degrees 25 minutes 11 seconds West a distance of 697.50 feet to a point; thence North 01 degrees 32 minutes 46 seconds West a distance of 237.32 feet to a point; thence North 01 degrees 32 minutes 46 seconds West a distance of 9.53 feet to a point; in the southern right-of-way of Bell Road; thence, with said right-of-way, North 55 degrees 34 minutes 38 seconds East a distance of 394.88 feet to a point; thence North 56 degrees 52 minutes east a distance of 222.07 feet to a point; around a curve to the right through a central angle of 15 degrees 22 minutes 22 seconds an arc distance of 427.15 feet a chord bearing of North 67 degrees 11 minutes 34 seconds East a distance of 425.87 feet to the point of beginning, containing 3,031,839 square feet or 69.602 acres, more or less.

Contained within the above described area but specifically excluded from the above is the "Old Whittemore Burying Grounds" as of record in Book 267, page 323 R.O.D.C.T. described as follows:

Beginning at the above described point of beginning; thence South 24 degrees 35 minutes 02 seconds West a distance of 645.35 feet to

the Northeastern corner of the burying grounds; thence South 07 degrees 46 minutes 13 seconds West a distance of 55.00 feet to a point; thence North 82 degrees 13 minutes 47 seconds West a distance of 55.00 feet to a point; thence North 07 degrees 46 minutes 13 seconds East a distance of 55.00 feet to a point; thence South 82 degrees 13 minutes 47 seconds East a distance of 55.00 feet to the point of beginning, containing 3,025.00 square feet or 0.069 acres more or less.

The total net area of this parcel is 3,028,814 square feet or 69.533 acres, more or less.

Tax Map and Parcel No. 162-00-0-222.00

A certain parcel of real property on the south side of Bell Road in the 31st Councilmanic District of Metropolitan Government Nashville and Davidson County, Tennessee being more particularly described in a survey by Walter Davidson and Associates on May 9, 1996 entitled Boundary Survey Lots 2A & 2B, Millwood Commons and as follows:

Commencing at the intersection of the centerlines of Bell Road and Blue Hole Road; thence South 86 degrees 18 minutes 26 seconds West a distance of 3370.68 feet more or less to a point, in the Southern right-of-way of Bell Road, said point being the true point of beginning; thence along said right-of-way North 55 degrees 34 minutes 38 seconds East a distance of 141.22 feet to a point; thence leaving said right-of-way South 01 degrees 32 minutes 46 seconds east a distance of 237.32 feet to a point; thence South 83 degrees 25 minutes 11 seconds East a distance of 697.50 feet to a point; thence South 07 degrees 26 minutes 16 seconds West a distance of 750.74 feet to a point in the common line with Edward R. Fann et ux as of record in Book 6161, page 731, R.O.D.C.T.; thence with said common line North 84 degrees 21 minutes 46 seconds West a distance of 307.36 feet to a point; thence north 02 degrees 39 minutes 08 seconds West a distance of 134.45 feet to a point; thence North 38 degrees 49 minutes 29 seconds West a distance of 429.24 feet to a point; thence North 15 degrees 21 minutes 06 seconds West a distance of 306.17 feet to a point; thence North 16 degrees 43 minutes 15 seconds West a distance of 195.89 feet to the point of beginning, containing 435,452 square feet or 9.9996 acres, more or less.

Being the same property conveyed to Bell Road Vacant Land LLC by deed from ML Tennessee Apartments LP, a Georgia limited partnership, of record as Instrument No. 20070816-0098048, Register's Office for Davidson County, Tennessee.

ALSO KNOWN AS:

A certain parcel of real property on the south side of Bell Road in the 31st Councilmanic District of Metropolitan Nashville and Davidson County, Tennessee being more particularly described in a survey by Walter Davidson and Associates on June 8, 2007 entitled Boundary Survey Lots 2A and 2B Millwood Commons and as follows:

Commencing at the intersection of the centerlines of Bell Road and Blue Hole Road; thence South 86 degrees 18 minutes 24 seconds West a distance of 3370.68 feet more or less to a point, in the Southern right of way of Bell Road, said point being the true point of beginning; thence along said right of way North 55 degrees 34 minutes 38 seconds East a distance of 141.22 feet to a point; thence North 01 degrees 32 minutes 46 seconds West a distance of 9.53 feet to a point, in the southern right of way of Bell Road; thence, with said right of way, North 55 degrees 34 minutes 38 seconds East a distance of 394.88 feet to a point; thence North 56 degrees 52 minutes 52 seconds East a distance of 222.07 feet to a point; around a curve to the right through a central angle of 15 degrees 22 minutes 22 seconds an arc distance of 427.15 feet a chord bearing of North 67 degrees 11 minutes 34 seconds East a distance of 425.87 feet to a point; thence leaving said right of way South Beginning at a point; thence South 02 degrees 10 minutes 05 seconds West a distance of 583.78 feet to a point thence South 87 degrees 09 minutes 33 seconds East a distance of 664.27 feet to a point; thence North 12 degrees 43 minutes 44 seconds East a distance of 204.48 feet to a point; thence South 85 degrees 43 minutes 21 seconds East a distance of 399.57 feet to a point; thence 65 degrees 19 minutes 11 seconds East a distance of 1131.63 feet to a point on the western right of way of Blue Hole Road; thence, with said right of way; around a curve to the right through a central angle of 17 degrees 35 minutes 40 seconds an arc distance of 287.12 feet a chord bearing of South 34 degrees 19 minutes 15 seconds West a distance of 285.99 feet to a point; thence South 43 degrees 07 minutes 05 seconds West a distance of 363.25 feet to a point; around a curve to the left through a central angle of 05 degrees 50 minutes 39 seconds an arc distance of 99.45 feet a chord bearing of South 40 degrees 11 minutes 46 seconds West a distance of 99.41 feet to a point; thence South 37 degrees 16 minutes 26 seconds West a distance of 311.37 feet to a point; thence, leaving said right of way, with the common line with Rhoda Lee Miller & Yvonne D. McMullen as of record in Book No. 20040114, page 0005945, R.O.D.C.T., North 85 degrees 16 minutes 45 seconds West a distance of 601.84 feet to a point, thence South 05 degrees 45 minutes 31 seconds West a distance of

299.53 feet to a point, thence, leaving said right of way with the common line with, Rhoda Lee Miller & Yvonne D. McMullen as of record in Book No. 20040114, Page 005945, R.O.D.C.T., South 05 degrees 45 minutes 31 seconds West a distance of 30.50 feet to a point; thence North 68 degrees 08 minutes 20 seconds West a distance of 252.73 feet to a point; thence North 79 degrees 33 minutes 55 seconds West a distance of 924.19 feet to a point in the common line with Edward R. Fann et ux as of record in Book 6161, page 731, R.O.D.C.T.; thence, with said common line, North 07 degrees 26 minutes 16 seconds East a distance of 182.33 feet to a point; thence continuing with said common line North 84 degrees 21 minutes 46 seconds West a distance of 307.36 feet to a point; thence North 02 degrees 39 minutes 08 seconds West a distance of 134.45 feet to a point; thence North 38 degrees 49 minutes 29 seconds West a distance of 429.24 feet to a point; thence North 15 degrees 21 minutes 06 seconds West a distance of 306.17 feet to a point; thence North 16 degrees 43 minutes 15 seconds West a distance of 195.89 feet to a point

Contained within the above described area but specifically excluded from the above is the "Old Whittemore Burying Grounds" as of record in Book 267, page 323 R.O.D.C.T. described as follows:

Beginning at the above described point of beginning; thence South 24 degrees 35 minutes 02 seconds West a distance of 645.35 feet to the Northeastern corner of the burying grounds; thence South 07 degrees 46 minutes 13 seconds West a distance of 55.00 feet to a point; thence North 82 degrees 13 minutes 47 seconds West a distance of 55.00 feet to a point; thence North 07 degrees 46 minutes 13 seconds East a distance of 55.00 feet to a point; thence South 82 degrees 13 minutes 47 seconds East a distance of 55.00 feet to the point of beginning, containing 3,025.00 square feet or 0.069 acres more or less.

Together with the benefits of that certain Access Easement and Construction and Utility Easement by and between Bell Road, L.P., a Tennessee limited partnership and ML Tennessee Apartments LP, a Georgia limited partnership, of record in Book 10226, Page 715, in the Register's Office for Davidson County, Tennessee.

This is property located on Bell Road and at 1617 Bell Road, Nashville, Davidson County, Tennessee.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to TN Bell Road Land Holdings LLC, a Delaware limited liability company, its successors and assigns, forever; and Stephen C. Baker, Substitute Trustee, does hereby

transfer, assign, and set over unto TN Bell Road Land Holdings LLC, all of his right, title and interest in the said property as Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Stephen C. Baker, Substitute Trustee, has executed this instrument as of the 7th day of December, 2009.

Stephen C. Baker, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Stephen C. Baker, Substitute Trustee, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal, at office in Nashville, Tennessee, this the 7th day of December, 2009.

NOTARY PUBLIC

My Commission Expires: 7/5/11

