BILL GARRETT, Davidson County
Trans:T20100009852 DEEDWARRSP
Recvd: 02/18/10 15:34 5 pgs
Fees:28.00 Taxes:11840.00
20100218-0012560

This instrument prepared by:
Neal & Harwell, PLC
150 Fourth Avenue North
Suite 2000
Nashville, TN 37219

# SPECIAL WARRANTY DEED

| ADDRESS NEW OWNER: | SEND TAX BILLS TO: | MAP-PARCEL: |
|---|---|---|
| Highland Ridge Apartments, LLC<br>1920 Needmore Road<br>Clarksville, TN 37042 | Same | 51-5-2.00 |

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS ($10.00), cash in hand paid by the hereinafter named GRANTEE, and other good and valuable consideration, the receipt of which is hereby acknowledged, **TRB HIGHLAND RIDGE LLC**, a Tennessee limited liability company, hereinafter called the GRANTOR, has bargained and sold, and by these presents does transfer and convey unto **HIGHLAND RIDGE APARTMENTS, LLC**, a Tennessee limited liability company, the GRANTEE herein, its successors and assigns, a certain tract of land in Nashville, Davidson County, Tennessee, described as follows, to wit:

BEING A PARCEL OF LAND IN THE SECOND CIVIL DISTRICT, FOURTH COUNCILMANIC DISTRICT, DAVIDSON COUNTY, TENNESSEE, LOCATED IN THE NORTHWESTERLY QUADRANT OF THE INTERSECTION OF DUE WEST AVENUE AND OLD DUE WEST AVENUE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT AN IRON PIN IN THE WESTERLY RIGHT-OF-WAY LINE OF DUE WEST AVENUE, SAID IRON PIN BEING THE SOUTHEASTERLY CORNER OF PROPERTY CONVEYED TO CHARLES A. & BARBARA H. GILBERT BY DEED OF RECORD IN BOOK 9750, PAGE 298, REGISTER'S OFFICE FOR DAVIDSON COUNTY,

TENNESSEE, SAID IRON PIN ALSO BEING NORTHERLY 610.00 FEET, MORE OR LESS, FROM THE CENTER OF OLD DUE WEST AVENUE;

THENCE, WITH SAID RIGHT-OF-WAY THE FOLLOWING CALLS: S 22° 27' 02" E, 152.50 FEET TO AN IRON PIN, WITH A CURVE TO THE LEFT 161.74 FEET TO A RIGHT-OF-WAY MONUMENT, SAID CURVE HAVING A CENTRAL ANGLE OF 07° 52' 50', A RADIUS OF 1175.92 FEET, A TANGENT OF 81.00 FEET AND A CHORD OF S 23° 47' 20" E, 161.61 FEET, S 27° 22' 01" E, 95.38 FEET TO A RIGHT-OF-WAY MONUMENT, S 38' 08' 34' E, 85.74 FEET TO A RIGHT-OF-WAY MONUMENT, S 04' 42' 56' E, 97.36 FEET TO A POINT IN THE NORTHERLY MARGIN OF OLD DUE WEST AVENUE;

THENCE, WITH THE NORTHERLY RIGHT-OF-WAY OF OLD DUE WEST AVENUE, S 25° 58' 09" E, 46.44 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, CONTINUING WITH SAID RIGHT-OF-WAY LINE, S 38° 51' 40" W, 120.07 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, S 22° 58' 43" W, 108.56 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, LEAVING SAID RIGHT-OF-WAY LINE S 56° 43' 01" E, 22.20 FEET TO A POINT IN THE CENTERLINE OF OLD DUE WEST AVENUE;

THENCE, WITH SAID CENTERLINE THE FOLLOWING CALLS: S 33° 16' 59" W, 81.14 FEET TO A POINT, WITH A CURVE TO THE RIGHT 148.57 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 25° 51' 01", A RADIUS OF 329.29 FEET TO A TANGENT OF 75.57 FEET AND A CHORD OF S 46° 12' 29" W, 147.31 FEET, S 59° 08' 00" W, 286.64 FEET TO A POINT, WITH A CURVE TO THE RIGHT 177.05 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 48' 00' 00", A RADIUS OF 211.34 FEET, A TANGENT OF 94.09 FEET AND A CHORD OF S 83° 08' 00" W, 171.92 FEET, N 72° 51' 56" W, 286.91 FEET TO A POINT;

THENCE, LEAVING SAID CENTERLINE WITH THE EASTERLY LINE OF PROPERTY CONVEYED TO J.T. ALMOND, BY DEED OF RECORD IN BOOK 6675, PAGE 41, R.O.D.C., N 01° 52' 19W, 366.14 FEET TO A POINT;

THENCE, WITH THE EASTERLY LINE OF PROPERTY CONVEYED TO TERRY W. BURDETTE, ET. UX., BY DEED OF RECORD IN BOOK 5278, PAGE 1, R.O.D.C., N 00° 42' 41" E, 353.39 FEET TO A POINT;

THENCE, WITH THE EASTERLY LINE OF PROPERTY CONVEYED TO J.D. STEPHENS, ET. UX., BY DEED OF RECORD IN BOOK 4095, PAGE 230, R.O.D.C., N 34° 07' 11" W, 518.60 FEET TO AN IRON PIN;

THENCE, WITH THE SOUTHERLY LINE OF PROPERTY CONVEYED TO JOHN T. BURDETTE BY DEED OF RECORD IN BOOK 6603, PAGE 621, R.O.D.C., AND DEBORAH D. MYERS BY DEED OF RECORD IN BOOK 5496, PAGE 122, R.O.D.C., N 67° 22' 42" E, 510.77 FEET TO AN IRON PIN;

THENCE, WITH THE WESTERLY LINE OF PROPERTY CONVEYED TO SAID MYERS, W.E. JONES BY DEED OF RECORD IN BOOK 3208, PAGE 30, R.O.D.C., FRED L. HOWELL BY DEED OF RECORD IN BOOK 3376, PAGE 419, RO.D.C., AND CHARLES A. & BARBARA H. GILBERT BY DEED OF RECORD IN BOOK 9750, PAGE 298, R.O.D.C., S 22° 25' 55" E, 500.72 FEET TO AN IRON PIN;

THENCE, WITH THE SOUTHERLY LINE OF SAID GILBERT PROPERTY, N 67° 04' 55" E, 400.56 FEET TO THE POINT OF BEGINNING. CONTAINING 1,013,527 SQUARE FEET OR 23.27 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO TRB HIGHLAND RIDGE LLC, A TENNESSEE LIMITED LIABILITY COMPANY, BY TRUSTEE'S DEED OF RECORD AS INSTRUMENT 20080707-0069676, IN THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

This is improved property known as 721 Due West Avenue, Madison, Tennessee 37115.

TO HAVE and to HOLD the said tract of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns forever.

GRANTOR covenants with the said GRANTEE that it is lawfully seized and possessed of said land in fee simple, that it has good right to convey it and the same is unencumbered except for the following:

1. Taxes and assessments for the year 2010 and subsequent years, not yet due and payable.

2. Rights of tenants in possession under unrecorded leases.

3. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record in Book 5066, Page 752, Register's Office for Davidson County, Tennessee.

4. Deed of Conveyance for a Sanitary Sewer Line granted to the Metropolitan Government of Nashville and Davidson County of record in Book 5058, Page

645, Register's Office for Davidson County, Tennessee.

5. All of the terms and provisions set forth in that certain Lease between BRI-OP Limited Partnership, Lessor and Web Service Company, Inc., Lessee, a Memorandum of which is recorded in Book 10041, Page 139, Register's Office for Davidson County, Tennessee.

GRANTOR further covenants and binds itself, its successors and representatives to warrant and forever defend the title to the said land to the GRANTEE, its successors, and assigns, against the lawful claims of every person claiming by, through or under GRANTOR, but not otherwise.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the execution of this instrument as of the 17th day of February, 2010.

**TRB HIGHLAND RIDGE LLC**

By: _____
Lonnie Helper

Its: Vice President of Sole Member

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STATE OF New York )
COUNTY OF Nassau )

Personally appeared before me, a Notary Public in and for said County and State, Lonnie Halpern, on behalf of TRB HIGHLAND RIDGE LLC, with whom I am personally acquainted and who, upon oath, acknowledged him/herself to be an Authorized Signatory and VP of Sole Member of TRB HIGHLAND RIDGE LLC, a Tennessee limited liability company, and that he/she as such _____, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company as such _____ _____.

WITNESS my hand and seal, at office in Nassau County, New York, this 16th day of February, 2010.

Notary Public

My Commission Expires:
2/24/2011

RICHARD M. FIGUEROA
Notary Public, State of New York
No. 02FI5073484
Qualified in New York County
Commission Expires Feb. 24, 2011

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**STATE OF** Tennessee )
**COUNTY OF** Davidson )

The actual consideration or value, whichever is greater, for this transfer is $3,200,000.00.

Denise L. Knowles
Affiant

Sworn to and subscribed before me this 17th day of February, 2010.

Dorothy S. Potts
Notary Public

My Commission Expires:

DOROTHY S. POTTS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires AUG. 23, 2011

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