This Instrument Prepared by:
Bettie J. Winton
Grissim and Hodges, Attorneys
323 Union Street, Suite 400
Nashville, TN 37201

BILL GARRETT, Davidson County
Trans:T20100024354 DEEDWARRSP
Recvd: 04/23/10 15:37 6 pgs
Fees:33.00 Taxes:4773.00
20100423-0030932

SPECIAL WARRANTY DEED

ADDRESS NEW OWNER:	SEND TAX BILLS TO:	MAP/PARCEL NO.:
Memorial Village, LLC 1980 Old Fort Parkway Murfreesboro, TN 37130	SAME	Map: 86 Parcel: 764

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, HERMITAGE COMMONS III, LLC, a Tennessee limited liability company (the "Grantor") has bargained and sold, and by these presents does transfer and convey unto MEMORIAL VILLAGE, LLC, a Tennessee limited liability company (the "Grantee"), its successors and assigns, all of Grantors' right, title and interest in and to that certain land in Davidson County, Tennessee, as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the Grantee, its successors and assigns, forever. And Grantor does covenant with the Grantee that it is lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, except for those exceptions included on Exhibit "B", attached hereto and incorporated herein by reference. And Grantor does further covenant and bind itself, its successors and assigns to warrant and forever defend the title to the said land to the Grantee, its successors and assigns, against the lawful claims of all persons claiming by and through the Grantor, but not further or 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 Grantors' hands, this 22 day of April, 2010.

HERMITAGE COMMONS III, LLC, a Tennessee limited liability company

BY: Hermitage Commons, LLC, a Tennessee limited liability company, Sole Member

By: KPCD, LLC, a Tennessee limited liability company, Manager

By: _____
Kenneth Powers, Sole Member

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public, KENNETH POWERS, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained and who further acknowledged that he is the sole member of KPCD, LLC, Manager of HERMITAGE COMMONS, LLC, the sole member of HERMITAGE COMMONS III, LLC, a Tennessee limited liability company and is authorized by the company to execute this instrument on behalf of the company.

Witness my hand, at office, this 22 day of April, 2010.

_____
NOTARY PUBLIC

My Commission Expires: _____

KIMBERLY DALY MORRIS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAR. 4, 2013

STATE OF TENNESSEE)
COUNTY OF Davidson)

The actual consideration for this transfer, or value of property (whichever is greater) is $1,290,000.00.

Affiant

Subscribed and sworn before me this 22 day of April, 2010.

NOTARY PUBLIC

My Commission Expires:

KIMBERLY DALY MORRIS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires MAR. 4, 2013

EXHIBIT "A"
Legal Description

Being a tract of land lying in Nashville, Davidson County, Tennessee, also being Lot 3 of Hermitage Commons, as of record in Instrument Number 20070810-0095886, and being more particularly described as follows;
Beginning at an iron rod set in the westerly right-of-way line of Old Hickory Boulevard, width varies, at a corner common with Lot 2 of Hermitage Commons, also being the property of Hermitage Commons, LLC c/o Commercial Realty Services, as of record in Instrument Number: 20070212-0018077, at the Register's Office for Davidson County, Tennessee, said iron rod set being located at Northing: 676,262.47; Easting: 1,787,008.33; on the State Plane Coordinate System NAD-83 (1995);

Thence with the westerly right-of-way line of Old Hickory Boulevard, South 20 deg 54 mm 50 sec East, 157.49 feet to an iron rod set;

Thence South 16 deg 01 min 36 sec East, 205.42 feet to an iron rod set, at a corner common with the property of Lojac Enterprises, Inc., as of record in Deed Book 7975, Page 122, at the Register's Office for Davidson County, Tennessee;

Thence leaving the easterly right-of-way line of Old Hickory Boulevard, with the northerly property line of Lojac Enterprises, Inc., South 71 deg 18 min 47 sec West, 258.09 feet to an iron rod set;

Thence North 63 deg 38 min 36 sec West, 131.02 feet to an iron rod set;

Thence North 30 deg 24 min 48 sec West 111.95 feet to a point in the center of an unnamed creek;

Thence continuing with the northerly property line of Lojac Enterprises, Inc., with the center of said unnamed creek for the following four calls;
1) South 45 deg 46 min 52 sec West, 65.62 feet to a point
2) South 57 deg 17 min 37 sec West, 128.35 feet to a point
3) South 85 deg 31 min 58 sec West, 277.00 feet to a point
4) South 42 deg 30 min 25 sec West, 65.67 feet to a point in the easterly property line of Lojac Enterprises, Inc., as of record in Deed Book 7429, Page 366, at the Register's Office for Davidson County, Tennessee, said point being located in the center of Stoners Creek;

Thence with the easterly property line of Lojac Enterprises, Inc., and the center of Stoners Creek, North 53 deg 52 min 23 sec West, 63.10 feet to a point, at a corner common with the property of Metro Government Water & Sewer, as of record in Deed Book 4699, Page 617, at the Register's Office for Davidson County, Tennessee;

Thence leaving the center of Stoners Creek, with the easterly property line of Metro Government Water & Sewer, North 26 deg 20 min 30 sec East, passing an iron rod set witness pin at 50 feet, and continuing for a total distance of 233.60 feet to an existing iron rod, at a corner common with the property of Valerie Phillips, as of record in Deed Book 11304, Page 433, at the Register's Office for Davidson County, Tennessee, and with the property of Gloria A. Jones, as of record in Instrument Number: 20040415-0042576, at the Register's Office for Davidson County, Tennessee;

Thence with the southerly property line of Gloria A. Jones, South 61 deg 51 min 32 sec East, 80.60 feet to an existing iron rod;

Thence South 88 deg 31 min 56 sec East, 190.90 feet to an existing concrete monument, at a corner common with the property of Jeremy Perdue & Lindsay McQuirt, as of record in Instrument Number: 20010710-0073650, at the Register's Office for Davidson County, Tennessee;

Thence with the easterly property line of Jeremy Perdue & Lindsay McQuirt, North 48 deg 28 min 04 sec East, 131.90 feet to an existing concrete monument, at a corner common with the property of Roberto C. Duran, as of record in Instrument Number: 20060531-0063725, at the Register's Office for Davidson County, Tennessee;

Thence with the easterly property line of Roberto C. Duran, North 08 deg 38 min 04 sec East, 44.04 feet to an iron rod set at a corner common with said Lot 2;

Thence with the southerly property line of said Lot 2, North 71 deg 11 min 51 sec West, 381.60 feet to the POINT OF BEGINNING. Containing 203,826 square feet or 4.679 acres more or less.

Being the same property conveyed to Hermitage Commons III, LLC, a Tennessee limited liability company by Deed of record in Instrument No. 20080619-0063434, as re-recorded in Instrument No. 20080728-0077217, Register's Office for Davidson County, TN .

EXHIBIT "B"
Permitted Exceptions

1. Current taxes for the year 2010, a lien not yet due and payable.
2. Subject to all matters shown on the Plan of Subdivision Plat of Hermitage Commons Old Hickory Boulevard of record in Instrument No. 20070810-0095886, Register's Office for Davidson County, Tennessee.
3. Easement(s) to the Metropolitan Government of Nashville and Davidson County, as set forth in instruments recorded in Instrument No. 20090102-0000082, and Instrument No. 20090203-0009279, Register's Office for Davidson County, Tennessee.
4. Inspection and Maintenance Agreement for Private Stormwater Management Facilities of record in Instrument No. 20090102-0000019, Registers Office for Davidson County, Tennessee.
5. Agreement of Use Restrictions of record in Instrument No. 20080619-0063435, Register's Office for Davidson County, Tennessee.
6. Stormwater Detention Agreement of record in instrument No. 20070510-0055967, Register's Office for Davidson County, Tennessee.
7. Construction, Operation, Reciprocal Easement and Use Restrictions Agreement of record in Instrument No. 20070212-0018078, as re-recorded in Instrument No. 200702200020399, Register's Office for Davidson County, Tennessee, and amended by First Amendment to Construction, Operation, Reciprocal Easement and Use Restriction Agreement of record in Instrument No. 20090402-0029978, Register's Office for Davidson County, Tennessee.
8. Right-of-Way Deed for Highway Purposes of record in Book 5157, Page 66, Register's Office for Davidson County Tennessee
9. Anchor Easement of record in Book 5780, page 430, Register's Office for Davidson County, Tennessee.
10. Easement(s) to Columbia Water Company as set forth in Instrument recorded in Book 4069, page 118, Register's Office for Davidson County, Tennessee.
11. Subject to terms and provisions of a Memorandum of Lease dated February 16, 2009, by an between Hermitage Commons, III, LLC, a Tennessee limited liability company, Landlord and Blazin Wings, Inc., a Minnesota corporation, Tenant, of record in Instrument No. 20090220-0014849, Register's Office for Davidson County, Tennessee.