BILL GARRETT, Davidson County
Trans:T20100080684 DEEDWARRSP
Recvd: 12/22/10 15:05 10 pgs
Fees:53.00 Taxes:12210.00
20101222-0101934

This Instrument Prepared By:
Campbell C. Steele
Reno & Cavanaugh, PLLC
424 Church Street, Suite 1750
Nashville, TN 37219

SPECIAL WARRANTY DEED

From: CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership ("Grantor");

Map and Parcel Number: 14900022700

To: SUMMERWIND APARTMENTS, L.P., a Tennessee limited partnership ("Grantee")

Address New Owner:

c/o First Cumberland Properties, Inc.
5020 Harpeth Drive
Brentwood, TN 37027

Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:

Same

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is Three Million Three Hundred Thousand and No/100 Dollars ($3,300,000.00).

Affiant

SUBSCRIBED AND SWORN TO before me, this the 20th day of December, 2010.

LISA A. WILLIAMS
NOTARY PUBLIC
OF
TENNESSEE
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 7, 2011

Notary Public

My Commission Expires: 11-07-2011

FOR AND IN CONSIDERATION OF the sum of Three Million Three Hundred Thousand and No/100 Dollars ($3,300,000.00), the receipt and sufficiency of which are hereby acknowledged, CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership

(the "Grantor"), has bargained and sold, and by these presents does transfer and convey unto SUMMERWIND APARTMENTS, L.P., a Tennessee limited partnership ("Grantee"), its successors and assigns, a certain tract or parcel of improved land located in Davidson County, State of Tennessee, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference, together with all improvements, buildings and structures located thereon (the "Property").

The Property is improved property located at 344 Bell Road, Nashville, Davidson County, Tennessee.

This conveyance is expressly made subject to those matters more specifically set forth on Exhibit B attached hereto and incorporated herein by this reference.

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

And, Grantor does covenant with Grantee that Grantor is lawfully seized and possessed of the Property in fee simple and Grantor has a good right to convey the Property.

And, Grantor does further covenant and bind Grantor, its successors and assigns, to warrant and forever defend the title to the Property to Grantee, its successors and assigns, against the lawful claims of all persons whomsoever claiming by, through or under Grantor (other than claims arising from the matters set forth on Exhibit B), but not further or otherwise. This conveyance is expressly made subject to the matters set forth on Exhibit B.

[SIGNATURE APPEARS ON FOLLOWING PAGE]

Witness my hand this 21st day of December, 2010.

GRANTOR:

CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership

BY: TRUST OF VERNARD R. BARKLEY, pursuant to Trust created by the Last Will and Testament of Vernard R. Barkley, dated March 24, 1978 and recorded in Will Book 144, Page 435, Davidson County, Tennessee, Register's Office, Partner

By: _____
STEPHEN WESLEY BARKLEY, its Trustee

By: _____
RICHARD LOGAN BARKLEY, its Trustee

BY: PINEWOOD IV, L.P., a Tennessee limited partnership, Partner

By: _____
BERNARD W. BARKLEY
Its General Partner

BY: _____
GINA MOSLEY, Partner

By: _____
Bernard W. Barkley, as Attorney-In-Fact

BY: _____
GARY BARKLEY, Partner

By: _____
Bernard W. Barkley, as Attorney-In-Fact

BY: _____
KEN BARKLEY, Partner

By: _____
Bernard W. Barkley, as Attorney-In-Fact

BY: _____
ROBERT K. TRENT, Partner

BY: _____
PHILLIP L. OWEN, Partner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Evonne N. Polk, a Notary Public of said County and State, personally appeared Stephen Wesley Barkley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a Trustee of the TRUST OF BERNARD R. BARKLEY, which is a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he as such Trustee executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as Trustee of the Trust of Bernard R. Barkley, a partner of the partnership.

Witness my hand and seal at Office in Nashville, Tennessee, the 17th day of December, 2010.

Evonne N Polk
Notary Public

EVONNE N. POLK STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission expires: 11-7-12

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Evonne N. Polk, a Notary Public of said County and State, personally appeared Richard Logan Barkley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a Trustee of the TRUST OF BERNARD R. BARKLEY, which is a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he as such Trustee executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as Trustee of the Trust of Bernard R. Barkley, a partner of the partnership.

Witness my hand and seal at Office in Nashville, Tennessee, the 17th day of December, 2010.

Evonne N Polk
Notary Public

EVONNE N. POLK STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission expires: 11-7-12

[Additional acknowledgments appear on the following pages]

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Evonne N. Polk, a Notary Public of said County and State, personally appeared Bernard W. Barkley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the general partner of PINEWOOD IV, L.P., a Tennessee limited partnership, which is a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he as such general partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as general partner of Pinewood IV, L.P., a partner of the partnership.

Witness my hand and seal at Office in Nashville, Tennessee, the 17th day of December, 2010.

Evonne N. Polk
Notary Public

EVONNE N. POLK STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission expires: 11-7-12

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Evonne N. Polk, a Notary Public of said County and State, personally appeared Bernard W. Barkley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), to be the person who executed the foregoing instrument on behalf of GINA MOSLEY, who is a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he executed the foregoing instrument for the purposes therein contained as the free act and deed of Gina Mosley as a partner of the partnership.

Witness my hand and seal at Office in Nashville, Tennessee, the 17th day of December, 2010.

Evonne N. Polk
Notary Public

EVONNE N. POLK STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission expires: 11-7-12

[Additional acknowledgments appear on the following pages]

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Evonne N. Polk, a Notary Public of said County and State, personally appeared Bernard W. Barkley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), to be the person who executed the foregoing instrument on behalf of GARY BARKLEY, who is a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he executed the foregoing instrument for the purposes therein contained as the free act and deed of Gary Barkley as a partner of the partnership.

Witness my hand and seal at Office in Nashville, Tennessee, the 17th day of December, 2010.

Evonne N. Polk
Notary Public

EVONNE N. POLK STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission expires: 11-7-12

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Evonne N. Polk a Notary Public of said County and State, personally appeared Bernard W. Barkley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), to be the person who executed the foregoing instrument on behalf of KEN BARKLEY, who is a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he executed the foregoing instrument for the purposes therein contained as the free act and deed of Ken Barkley as a partner of the partnership.

Witness my hand and seal at Office in Nashville, Tennessee, the 17th day of December, 2010.

Evonne N. Polk
Notary Public

EVONNE N. POLK STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission expires: 11-7-12

[Additional acknowledgments appear on the following pages]

STATE OF TENNESSEE)
COUNTY OF ~~DAVIDSON~~ Williamson)

Before me, Annette L. Dolzen, a Notary Public of said County and State, personally appeared ROBERT K. TRENT, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he as such partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as a partner of the partnership.

Witness my hand and seal at Office in Brentwood, Tennessee, the 20th day of December, 2010.

Annette L Dolzen
Notary Public

ANNETTE L. DOLZEN
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

My Commission expires: Nov 17, 2014

STATE OF TENNESSEE)
COUNTY OF ~~DAVIDSON~~ Williamson)

Before me, Annette L. Dolzen, a Notary Public of said County and State, personally appeared PHILLIP L. OWEN, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a partner of CHATEAU TERRACE APARTMENTS GP, a Tennessee general partnership, and that he as such partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as a partner of the partnership.

Witness my hand and seal at Office in Brentwood, Tennessee, the 20th day of December, 2010.

Annette L Dolzen
Notary Public

ANNETTE L. DOLZEN
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

My Commission expires: Nov 17, 2014

EXHIBIT A

PROPERTY DESCRIPTION

Being a tract of land lying in Nashville, Davidson County, Tennessee, also being part of Lot 1 Chateau Terrace, as of record in Plat Book 4675, Page 59, at the Register's Office for Davidson County, Tennessee, and being more particularly described as follows;

Beginning at an iron rod set in the easterly right-of-way line of Bell Road, at a corner common with the property of Rhonda E. Hendrix, as of record in Deed Book 7768, Page 968, at the Register's Office for Davidson County, Tennessee, said iron rod set being located at Northing: 635,760.79; Easting: 1,781,189.67; on the State Plane Coordinate System NAD-83 (2007);

Thence leaving the easterly right-of-way line of Bell Road, with the southerly property line of Rhonda E. Hendrix, South 79 deg 57 min 12 sec East, 543.51 feet to an iron rod set, at a corner common with Lot 186 of Edge-o-Lake Estates, Section 2, as of record in Plat Book 3600, Page 72, at the Register's Office for Davidson County, Tennessee, also being the property of Steve P. Ziel, as of record in Instrument #: 20100301-0015303, at the Register's Office for Davidson County, Tennessee;

Thence with the southerly property line of said Lot 186, South 80 deg 09 min 43 sec East, 195.20 feet to an existing iron rod, at a corner common with Lot 2B of Edge-o-Lake Estates, Section 21, as of record in Plat Book 6200, Page 156, at the Register's Office for Davidson County, Tennessee, also being the property of Mary W. Bohanan, as of record in Instrument Number: 20070713-0083893, at the Register's Office for Davidson County, Tennessee;

Thence with the westerly property line of said Lot 2B, South 23 deg 40 min 17 sec West, 183.20 feet to an iron rod set, at a corner common with Lot 2A of said Edge-o-Lake Estates, Section 21, also being the property of Jeffery Primicias, as of record in Instrument Number: 20070529-0063506, at the Register's Office for Davidson County, Tennessee;

Thence with the westerly property line of said Lot 2A, South 10 deg 08 min 33 sec West, 197.65 feet to an concrete monument, in the northerly property line of Phase I & II the Davenport Condominiums, as of record in Plat Book 6900, Page 22, at the Register's Office for Davidson County, Tennessee, also being the property of DMA Properties 2, LLC, as of record in Instrument Number: 20091130-0101724, at the Register's Office for Davidson County, Tennessee;

Thence with the northerly property line of Phase I & II the Davenport Condominiums, North 79 deg 41 min 38 sec West, 855.24 feet to an existing iron rod in the easterly right-of-way line of Bell Road;

Thence with the easterly right-of-way line of Bell Road, North 21 deg 49 min 13 sec East, 53.00 feet to an iron rod set;

Thence with a curve to the right, along an arc length of 96.01 feet, the central angle of which is 08 deg 45 min 00 sec, the radius of which is 628.67 feet, the chord of which is North 26 deg 11 min 43 sec East, 95.91 feet to an iron rod set;

Thence with a curve to the right, along an arc length of 94.94 feet, the central angle of which is 07 deg 08 min 00 sec, the radius of which is 762.57 feet, the chord of which is North 34 deg 08 min 13 sec East, 94.88 feet to an iron rod set;

Thence with a curve to the right, along an arc length of 97.79 feet, the central angle of which is 04 deg 30 min 00 sec, the radius of which is 1245.04 feet, the chord of which is North 39 deg 57 min 13 sec East, 97.76 feet to an iron rod set;

Thence North 42 deg 12 min 13 sec East, 65.84 feet to the POINT OF BEGINNING. Containing 299,390 square feet or 6.873 acres more or less.

Being the same property conveyed to Chateau Terrace Apartments, GP, a Tennessee general partnership by deed from Chateau Terrace Apartments, a partnership by deed form Chateau Terrace Apartment, a partnership comprised of Gina Mosley, Gary Berkeley, Ken Berkeley, Pinewood IV L.P., Trust of Vernard R. Berkeley, Joan Berkeley Family Partnership, Barbara Kesterson, Richard Berkeley and Stephen Berkeley and filed for record as Instrument No. 20040421-0045595, in the Register's Office for Davidson County, Tennessee. As corrected by Scrivener's Affidavit of record as Instrument No. 20090911-0085240, said Register's Office.

ALSO described according to a survey dated November 23, 2010 and revised December 7, 2010, prepared by R. Scot Cherry, R.L.S., of Cherry Land Surveying, Inc., License No. 1512, whose address is 622 West Iris Drive, Nashville, Tennessee 37204.

EXHIBIT B

ENCUMBRANCES

1. Taxes and assessments for the year 2011 and subsequent years, not yet due and payable.

2. Matters shown on the Plan of record in Plat Book 4675, page 59, said Register's Office for Davidson County, Tennessee.

3. Colonial Pipeline Right of Way Agreement of record in Book 3619, page 529, as supplemented in Book 4575, page 615, said Register's Office.

4. Easement Agreement to First Suburban Water Utility District of record in Book 4207, page 54, said Register's Office.

5. Easement granted to Valerie Ann Sherlock to connect to the Sewer Line of record in Book 6906, page 970, said Register's Office.

6. All matters shown on plat of survey dated November 23, 2010 and revised December 7, 2010, prepared by R. Scot Cherry, R.L.S., of Cherry Land Surveying, Inc., License No. 1512.