THIS INSTRUMENT PREPARED BY:
Waller Lansden Dortch & Davis, LLP (RRC)
511 Union Street, Suite 2700
Nashville, Tennessee 37219

BILL GARRETT, Davidson County
Trans:T20110020864 DEEDWARRSP
Recvd: 04/08/11 14:06 7 pgs
Fees:38.00 Taxes:9735.26
20110408-0027427

Address New Owner(s):
Eleven North LLC
6185 Crooked Creek Road,
Suite C
Norcross, GA 30092

Send Tax Bills to:
Same

Map and Parcel:
Map/Parcel #093-050-131.00

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **POLAR DEVELOPMENT COMPANY, LLC**, a Tennessee limited liability company (the "Grantor"), has this day bargained and sold, and does hereby transfer and convey to **ELEVEN NORTH LLC,** a Delaware limited liability company, (the "Grantee"), its successors and assigns, the following described land in Davidson County, Tennessee, to-wit:

Tract or parcel of land located in Nashville, Davidson County, Tennessee and being more particularly described on Exhibit A attached hereto.

This is improved property known as 326 11th Avenue, Nashville, Tennessee.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the said Grantee and its successors and assigns, forever. Grantor covenants with said Grantee that Grantor is lawfully seized and possessed of said land in fee simple and has a good right to convey it subject to those matters shown on Exhibit B attached hereto. Grantor further covenants and binds itself, its successors, and assigns to warrant and forever defend the title to said real estate against the lawful claims of all persons claiming by, through or under it but no further or otherwise.

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

IN WITNESS WHEREOF, Grantor has executed this instrument on this 8th day of April, 2011.

POLAR DEVELOPMENT COMPANY, LLC, a Tennessee limited liability company

By: Novare Polar Development Company, LLC

By: Gulch Polar Mezz Holdings, LLC,
its sole member

By: _____
Name: Yon Cho
Title: Authorized Signatory

By: Giarratana Polar, LLC

By: _____
Name: Anthony D. Giarratana
Title: Chief Manager

STATE OF New York)
COUNTY OF Kings)

Before me, the undersigned, a Notary Public in and for the County and State aforementioned, personally appeared Yon Cho, 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 Authorized Signatory of Gulch Polar Mezz Holdings, LLC, the sole member of Novare Polar Development Company, LLC, the member of Polar Development Company, LLC, the within named bargainor, a limited liability company, and that he as such Authorized Signatory of Gulch Polar Mezz Holdings, LLC, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Authorized Signatory of Gulch Polar Mezz Holdings, LLC, its sole member.

Witness my hand and seal, at office in New York, Kings County, this 7th day of April, 2011.

Arelis Olivo
Notary Public

My Commission Expires: August 06, 2011

ARELIS OLIVO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OL6172034
Qualified In Kings County
My Commission Expires August 06, 2011

STATE OF Tennessee)
COUNTY OF Davidson)

Before me, the undersigned, a Notary Public in and for the County and State aforementioned, personally appeared Anthony D. Giarratana, 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 Chief Manager of Giarratana Polar, LLC, the member of Polar Development Company, LLC, the within named bargainor, a limited liability company, and that he as such Chief Manager of Giarratana Polar, LLC, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chief Manager of Giarratana Polar, LLC.

Witness my hand and seal, at office in Nashville, Tennessee, this 8th day of April, 2011.

Linda J. Boggess
Notary Public

My Commission Expires: 5-20-2014

LINDA J. BOGGESS
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires MAY 20, 2014

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $2,631,150.00.

Dorothy L. Scurlock
Affiant

Subscribed and sworn to before me this 8th day of April, 2011.

Linda J. Boggess
Notary Public

My Commission Expires: 5-20-2014

LINDA J. BOGGESS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 20, 2014

4213487.1

EXHIBIT A

LAND SITUATED IN THE STATE OF TENNESSEE, COUNTY OF DAVIDSON AND IS DESCRIBED AS FOLLOWS:

BEING A PARCEL OF LAND IN THE FIRST CIVIL DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE, LYING ON THE EAST MARGIN OF ELEVENTH AVENUE INDUSTRIAL BOULEVARD, EXTENDING FROM CHURCH STREET VIADUCT TO CHARLOTTE AVENUE BEING LOTS NO. 2, 3, 7, 8, 112, 113, 115, 116, 117, 118, 119 AND PARTS OF LOTS NO. 1, 4, 5, 6, AND 114, AS SHOWN ON MAP OF HINES ADDITION OF RECORD IN PLAN BOOK 1, PAGE 21, CHANCERY COURT AND BEING MORE PARTICULARLY DESCRIBES AS FOLLOWS:

BEGINNING AT AN IRON PIN AT THE NORTHEAST INTERSECTION OF CHURCH STREET AND ELEVENTH AVENUE INDUSTRIAL BOULEVARD;

THENCE, WITH THE EASTERLY MARGIN OF SAID ELEVENTH AVENUE INDUSTRIAL BOULEVARD THE FOLLOWING CALLS:

WITH A CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 02 DEG. 52' 35", A RADIUS OF 2030.00 FEET AND A CHORD OF N 35 DEG. 44' 09" W, 101.90 FEET FOR AN ARC LENGTH OF 101.91 FEET TO AN IRON PIN,

WITH A CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 02 DEG. 52' 00", A RADIUS OF 1970.00 FEET AND A CHORD OF N 35 DEG. 44' 26" W, 98.55 FEET FOR AN ARC LENGTH OF 98.56 FEET TO AN IRON PIN,

N 34° 18' 23" W, 640.00 FEET TO AN IRON PIN;

WITH A CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 06° 16' 30", A RADIUS OF 1970.00 FEET AND A CHORD OF N 31° 10' 08" W, 215.65 FEET FOR AN ARC LENGTH OF 215.75 FEET TO AN IRON PIN.

N 28 DEG. 30' 00" W, 1.94 FEET TO AN IRON PIN,

WITH A CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 83 DEG. 01' 34", A RADIUS OF 21.00 FEET AND A CHORD OF N 16 DEG. 33' 30" W, 27.84 FEET FOR AN ARC LENGTH OF 30.43 FEET TO AN IRON PIN IN THE SOUTHERLY MARGIN OF CHARLOTTE AVENUE;

THENCE, WITH SAID CHARLOTTE AVENUE, N 61 DEG. 45' 32" E, 175.77 FEET TO A CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE GULCH, SECTION ONE OF RECORD IN PLAT BOOK 6050, PAGE 520, R.O.D.C.;

THENCE, LEAVING SAID MARGIN WITH THE WEST LINE OF SAID SECTION ONE AND THE GULCH, SECTION TWO OF RECORD IN INSTRUMENT NO. 200408180099850, R.O.D.C., S 34 DEG. 19' 59" E, 1072.47 FEET TO AN IRON PIN IN THE NORTH MARGIN OF CHURCH STREET;

THENCE, WITH SAID MARGIN, S 60 DEG. 08' 04" W, 204.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 222,624 SQUARE FEET OR 5.11 ACRES, MORE OR LESS.

LESS AND EXCEPT 38 SQUARE FEET FOR CHURCH STREET BRIDGE CAISSONS.

ALSO AN EASEMENT FOUR (4) FEET WIDE ALONG THE EAST PROPERTY ABOVE DESCRIBED FOR THE PURPOSE OF CONSTRUCTING A STORM DRAINAGE SYSTEM AND UNDERGROUND FOOTINGS FOR THE BUILDING ON SAID PROPERTY, GRANTED IN AN INSTRUMENT EXECUTED BY LOUISVILLE & NASHVILLE TERMINAL COMPANY, ETAL TO DEFENSE PLANT CORPORATION, OF RECORD IN BOOK 1291, PAGE 266. REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

BEING THE SAME PROPERTY CONVEYED TO POLAR DEVELOPMENT COMPANY, LLC BY DEEDS OF RECORD IN INSTRUMENT NO. 200503110027390 AND INSTRUMENT NO. 200503110027391, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

EXHIBIT B

1) Taxes and assessments for the year 2011, a lien, but not yet due and payable.

2) Easement(s) to Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 4205, Page 520 and easements and restrictions in Book 8228, Page 273, said Register's Office, but excluding the temporary construction easements contained therein.

3) Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by a survey prepared by Judy L. Judson, RLS No. 1935, Barge Waggoner Sumner & Cannon, Inc., File No. 31752-02, dated December 30, 2010:

- 66 inch combination sewer line and 12 inch and 20 inch storm water lines crossing under the one story brick building