BILL GARRETT, Davidson County
Trans:T20110039885 DEEDTRS
Recvd: 07/05/11 09:03 7 pgs
Fees:38.00 Taxes:41440.00
20110705-0050944

This instrument prepared by:
Prochaska Thompson Quinn
& Ferraro, P.C.
401 Church Street, Suite 2600
Nashville, TN 37219

Address New Owner:	Send Tax Bills To:	Map-Parcel Numbers:
JPMCC 2005-CIBC13 Whispering Hills Drive, LLC 1601 Washington Ave., Suite 700 Miami Beach, FL 33139 Attn: Rod Lauredo	SAME	147-11-0-030.00 147-11-0-136.00 051-12-0-080.00

SUCCESSOR TRUSTEE'S DEED

This instrument is made and entered into as of May 6, 2011, by and between, Successor Trustee (hereinafter referred to as "Successor Trustee"), and

WHEREAS by Deed of Trust, Assignment of Leases and Rents and Security Agreement dated as of October 20, 2005 of record at Instrument Number 20051025-0128718 in the Register's Office for Davidson County, Tennessee (the "Deed of Trust"), WK Berkley LLC, a Delaware limited liability company, and WK Audubon LLC, a Delaware limited liability company, jointly and severally (individually and collectively, "Borrower"), conveyed to William L. Rosenberg, Esq., as Trustee, the hereinafter described real estate, to secure payment to CIBC, Inc., a Delaware corporation ("Original Lender") of a promissory note dated October 20, 2005, (the "Note"); and

WHEREAS, the Deed of Trust subsequently was assigned by Original Lender to Wells Fargo Bank, N.A., as trustee for the registered holders of J.P. Morgan Chase Commercial Mortgage Securities Corp., Commercial Mortgage Pass-Through Certificates, Series 2005-CIBC13 ("Lender #2") by that certain Assignment of Deed of Trust, Assignment of Leases and Rents and Security Agreement executed November 22, 2005 and recorded May 8, 2006 as Instrument No. 20060508-

0053197 in the Register's Office for Davidson County, Tennessee, and thereafter was assigned by Lender #2 to JPMCC 2005-CIBC13 Whispering Hills Drive, LLC, a Tennessee limited liability company ("Lender"), by Assignment of Deed of Trust and Other Loan Documents, dated February 24, 2009 and recorded on February 27, 2009 as Instrument No. 20090227-0017602 in the Register's Office for Davidson County, Tennessee; and

WHEREAS, the lawful holder of the Note replaced said Trustee by instrument of record as Instrument No. 20090227-0017603 in the Register's Office for Davidson County, Tennessee, and the lawful holder of the Note replaced the Trustee again by appointing Joseph R. Prochaska by instrument of record as Instrument Number 20100225-0014317 in the Register's Office for Davidson County, Tennessee, in accordance with the terms of said Deed of Trust; and

WHEREAS, the indebtedness secured by said Deed of Trust became overdue and unpaid, and other conditions of default occurred, by reason of which the lawful owner and holder of the indebtedness secured by said Deed of Trust declared the Deed of Trust and Note to be in default and notice of such default was properly given; and

WHEREAS, the lawful holder of the Note secured by the Deed of Trust directed the Successor Trustee to sell the property held as security under the Deed of Trust as provided therein, and the Successor Trustee caused notice to be published in *The Nashville Scene* that the property would be sold at 10:00 a.m. on May 6, 2011, at the main door of the Courthouse in Nashville, Davidson County, Tennessee, such advertisement appearing in said paper on April 14, 21 and 28, 2011, and sent a copy of such notice to Borrower and following such notice the default was not cured; and

WHEREAS, the Successor Trustee at the time, place and date specified in said notices caused the property and all improvements, fixtures, and structures thereon to be offered for sale, and after opening the floor for competitive bids, sold said Property to JPMCC 2005-CIBC13 Whispering Hills Drive, LLC at the price of $11,200,000.00 this being the highest, last and best bid; and

NOW, THEREFORE, I, Joseph R. Prochaska, Successor Trustee as aforesaid, in consideration of the premises and the sum of $11,200,000.00, credited by Lender against the Note, by these presents do transfer to, its successors and assigns, all of my right, title and interest, as Successor Trustee, in and to the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, To Wit:

Land situated in Davidson County, Tennessee:

TRACT I:

LAND LYING IN THE 11TH CIVIL DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE, BOUNDED ON THE WEST BY MORNINGSIDE HEIGHTS SUBDIVISION AS RECORDED IN PLAT BOOK 1130, PAGE 76, AT THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE (R.O.D.C., TN), ON THE EAST BY THE RESUBDIVISION OF LOTS 22 THROUGH 32, MONTAGUE SUBDIVISION, PLAT BOOK 421, PAGE 141, AT THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE (R.O.D.C., TN), LOCATED SOUTH OF DUE WEST AVENUE, AND LYING GENERALLY EAST OF GALLATIN ROAD, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND IN THE SOUTHEASTERLY MOST CORNER OF SAID MORNINGSIDE HEIGHTS AND THE SOUTHWESTERLY MOST CORNER OF THE PARCEL HEREIN DESCRIBED;

THENCE, N 16 DEG. 00' 17" E, 739.03 FEET TO AN IRON PIN SET;
THENCE, S 87 DEG. 29' 26" E, 185.00 FEET TO AN IRON PIN SET;
THENCE, S 75 DEG. 43' 26" E, 114.90 FEET TO AN IRON PIN FOUND;
THENCE, S 65 DEG. 33' 26" E, 114.16 FEET TO AN IRON PIN FOUND;
THENCE, S 54 DEG. 17' 26" E, 722.23 FEET TO AN IRON PIN SET;
THENCE, S 35 DEG. 20' 34" W, 15.26 FEET TO AN IRON PIN FOUND;
THENCE, S 54 DEG. 17' 26" E, 148.15 FEET TO AN IRON PIN SET;
THENCE, S 32 DEG. 58' 34" W, 445.35 FEET TO AN IRON PIN SET;
THENCE, N 64 DEG. 39' 00" W, 294.49 FEET TO AN IRON PIN FOUND;
THENCE, S 36 DEG. 31' 00" W, 81.50 FEET TO AN IRON PIN FOUND;
THENCE, N 74 DEG. 29' 00" W, 772.92 FEET TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY CONVEYED TO WK BERKLEY LLC, A DELAWARE LIMITED LIABILITY COMPANY BY SPECIAL WARRANTY DEED FROM BERKLEY HILLS REALTY CO., LLC, A DELWARE LIMITED LIABILITY COMPANY OF RECORD IN INSTRUMENT NO. 20051025-0128717, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

TRACT II:

PARCEL 1

A TRACT OF LAND IN THE FIRST CIVIL DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE, BOUNDED ON THE SOUTH BY LEEANNE DRIVE AND ON THE WEST BY WHISPERING HILLS DR. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A CONCRETE MONUMENT ON THE NORTHERLY MARGIN OF LEEANNE DRIVE AND THE SOUTHWEST CORNER OF LOT 428 OF WHISPERING HILLS SUBDIVISION SECTION 11-C, AS RECORDED IN PLAT BOOK 2663, PAGE 67, R.O.D.C., TENNESSEE;

THENCE, WITH THE NORTHERLY MARGIN OF LEEANNE DRIVE WESTERLY AROUND A CURVE TO THE LEFT 181.91 FEET, SAID CURVE HAVING A RADIUS OF 522.00 FEET, A CENTRAL ANGLE OF 19° 58' 00", A TANGENT OF 91 FEET AND A CHORD BEARING AND DISTANCE OF N 60° 17' 00" W, 180.99 FEET TO A CONCRETE MONUMENT;

THENCE, N 70° 16' 00" W, 165.01 FEET TO A CONCRETE MONUMENT THE BEGINNING OF A RETURN RADIUS TO THE RIGHT FOR WHISPERING HILLS DRIVE;

THENCE, AROUND A CURVE TO THE RIGHT 38.96 FEET, SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89° 18' 00", A TANGENT OF 24.70 FEET AND A CHORD BEARING AND DISTANCE OF N 25° 37' 00" W, 35.14 FEET TO A CONCRETE MONUMENT;

THENCE, WITH WHISPERING HILLS DRIVE N 19° 02' 00" E, 112.00 FEET TO A CONCRETE MONUMENT, THE BEGINNING OF A CURVE TO THE LEFT;

THENCE, AROUND A CURVE TO THE LEFT 548.41 FEET, SAID CURVE HAVING A RADIUS OF 985.00 FEET, A CENTRAL ANGLE OF 31° 54' 00", A TANGENT OF 281.51 FEET AND A CHORD BEARING AND DISTANCE OF N 03° 05' 00" E. 541.35 FEET TO AN IRON PIN, THE SOUTHWEST CORNER OF LOT 57, PARKVIEW ESTATES, SECTION I, BOOK 3300, PAGE 87, R.O.D.C., TENNESSEE;

THENCE, WITH THE SOUTHERLY LINE OF SAID LOT 57, N 77° 08' 00" E, 151.90 FEET TO AN IRON PIN ON THE WESTERLY LINE OF PARKVIEW ESTATES, SECTION III;

THENCE, S 13° 44' 00" W, 12.80 FEET TO A CONCRETE MONUMENT;

THENCE, FOLLOWING THE SOUTHERLY BOUNDARY OF PARKVIEW SECTION III, S 65° 30' 00" E. 74.35 FEET TO A CONCRETE MONUMENT;

THENCE, S 83° 10' 00" E, 197.10 FEET TO A CONCRETE MONUMENT;

THENCE, S 84° 45' 00" E, 151.61 FEET TO A CONCRETE MONUMENT;

THENCE, S 71° 45' 00" E, PASSING A CONCRETE MONUMENT AT 95.00 FEET, A TOTAL DISTANCE OF 173.26 FEET TO A POINT;

THENCE, S 58° 38' 00" E, 198.74 FEET TO A CONCRETE MONUMENT IN THE WEST LINE OF TENNESSEE EQUITY FUND L.P. OF RECORD IN BOOK 9302, PAGE 247, R.O.D.C. LINE S 12° 03' 00" W, 109.56 FEET TO AN IRON PIN AT THE BASE OF A FENCE CORNER POST;

THENCE, S 33° 05' 00" W, 70.00 FEET;

THENCE, N 56° 55' 00" W, 104.59 FEET TO A POINT;

THENCE, S 26° 14' 00" W, 246.82 FEET TO A POINT;

THENCE, N 63° 46' 00" W, 99.00 FEET TO A POINT;

THENCE, S 26° 14' 00" W, 144.68 FEET TO A POINT;

THENCE, N 66° 02' 00" W, 87.00 FEET TO A POINT;
THENCE, S 19° 53' 00" W, 108.57 FEET TO A CONCRETE MONUMENT;
THENCE, S 37° 29' 00" W, 171.74 FEET TO THE POINT OF BEGINNING.

PARCEL 2

A TRACT OF LAND IN THE FIRST CIVIL DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE, BOUNDED ON THE SOUTHEAST BY NORTHCREST DRIVE LOCATED SOUTH OF NOLENSVILLE ROAD AND WEST OF COTTON LANE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A CONCRETE MONUMENT ON THE NORTHERLY MARGIN OF NORTHCREST DRIVE AT THE SOUTHEASTERLY CORNER OF LOT 442, WHICPERING HILLS SECTION 11-C, BOOK 2663, PAGE 66 AND 67, R.O.D.C., TENNESSEE;

THENCE, WITH THE BOUNDARY OF SAID SUBDIVISION AND AROUND A CURVE TO THE LEFT 37.34 FEET, SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 85° 34' 14", A TANGENT OF 23.14 FEET AND A CHORD BEARING AND DISTANCE OF N 20° 43' 07" E, 33.96 FEET TO A CONCRETE MONUMENT;
THENCE, N 22° 04' 00" W, 24.00 FEET TO A CONCRETE MONUMENT;
THENCE, WITH A CURVE TO THE LEFT 117.05 FEET, SAID CURVE HAVING A RADIUS OF 401.97 FEET, A CENTRAL ANGLE OF 16° 41' 00", A TANGENT OF 58.94 FEET AND A CHORD BEARING AND DISTANCE OF N 30° 24' 30" W, 116.63 FEET TO A CONCRETE MONUMENT;
THENCE, CONTINUING WITH SAID SUBDIVISION S 55° 06' 00" W, 159.10 FEET TO A CONCRETE MONUMENT;
THENCE, S 87° 35' 00" W, 184.00 FEET TO A CONCRETE MONUMENT;
THENCE, CONTINUING WITH SAID SUBDIVISION N 83° 01' 00" W, 347.40 FEET TO A CONCRETE MONUMENT;
THENCE, N 55° 30' 00" W, 186.20 FEET TO A CONCRETE MONUMENT;
THENCE, N 45° 00' 00" W, 193.58 FEET TO A CONCRETE MONUMENT, THE NORTHWESTERLY CORNER OF LOT 428 OF SAID SUBDIVISION;
THENCE, LEAVING SAID SUBDIVISION N 19° 53' 00" E. 108.57 FEET TO A POINT;
THENCE, S 66° 02' 00" E, 87.00 FEET TO A POINT;
THENCE, N 26° 14' 00" E, 144.68 FEET TO A POINT;
THENCE, S 63° 46' 00" E, 99.00 FEET TO A POINT;
THENCE, N 26° 14' 00" E, 246.82 FEET TO A POINT;
THENCE, S 56° 55' 00" E, 104.59 FEET TO A POINT;
THENCE, N 33° 05' 00" E, 70.00 FEET TO A FENCE CORNER POST IN THE SOUTHWESTERLY CORNER OF TENNESSEE EQUITY FUND, L.P. AS OF RECORD IN BOOK 9302, PAGE 247, R.O.D.C.;
THENCE, WITH TENNESSEE EQUITY FUND, L.P. SOUTH LINE, N 79° 30' 00" E, 330.41 FEET TO A POINT;
THENCE, S 16° 15' 00" E, 140.00 FEET TO A POINT;
THENCE, S 55° 11' 00" E, 205.00 FEET TO A POINT;
THENCE, S 34° 49' 00" W, 98.66 FEET TO A POINT;
THENCE, S 38° 25' 00" E, 37.50 FEET TO A POINT;
THENCE, S 51° 35' 00" W, 114.00 FEET TO A POINT;
THENCE, S 38° 25' 00" E, 175.56 FEET TO A POINT;

THENCE, S 62° 44' 00" E, 101.78 FEET TO A CONCRETE MONUMENT;
THENCE, S 13° 13' 00" E, 114.00 FEET TO A CONCRETE MONUMENT ON THE NORTHERLY MARGIN OF NORTHCREST DRIVE;
THENCE, WITH NORTHCREST DRIVE AND WITH A CURVE TO THE LEFT HAVING A RADIUS OF 617.40 FEET AND A CENTRAL ANGLE OF 13° 16' 33", 143.08 FEET TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY CONVEYED TO WK AUDUBON LLC, A DELAWARE LIMITED LIABILITY COMPANY BY SPECIAL WARRANTY DEED FROM AUDOBON PARK REALTY CO., LLC, A DELAWARE LIMITED LIABILITY COMPANY OF RECORD IN INSTRUMENT NO. 20051025.0128716 REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

TO HAVE AND TO HOLD the aforesaid real estate, together with all improvements thereof, in bar of the equity of redemption, statutory right of redemption, homestead, and exemption rights, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale is subject to such liens, defects, encumbrances, adverse claims or other matters which take priority over the Deed of Trust under which said foreclosure was held or which affect the land herein conveyed.

WITNESS the signature of the Successor Trustee on the date first above written.

Joseph R. Prochaska, Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the Undersigned, a Notary Public of said County and State, Joseph R. Prochaska, 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 Successor Trustee, and that he as such Successor Trustee being authorized to do so executed the within instrument for the purposes contained therein by signing his name as Successor Trustee.

Witness my hand at office, this 6 day of May, 2011.

Notary Public

CONNIE BEMBREY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 05-08-2012

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $11,200,000.00.

Affiant

Sworn to and Subscribed
before me this the 10
day of May, 2011.

Notary Public

CONNIE BEMBREY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 05-08-2012