BILL GARRETT, Davidson County
Trans:T20120013591 DEEDWARRSP
Recvd: 02/24/12 09:47 4 pgs
Fees:23.00 Taxes:20720.00
20120224-0016118

SPECIAL WARRANTY DEED

FROM:
Apollo Apartments, a Tennessee limited partnership, Grantor

TO:
The Park at Richards Road Apartments, L.P., a Tennessee limited partnership, Grantee

This instrument was prepared by:

Warren H. Wild, Jr.
Stites & Harbison, PLLC
401 Commerce Street, Suite 800
Nashville, Tennessee 37219

Address New Owner:	Name and Address of the Person or Entity Responsible for the payment of Real Property Taxes:	Map-Parcel Number:
The Park at Richards Road Apartments, L.P., a Tennessee limited partnership c/o First Cumberland Properties, Inc. 5020 Harpeth Drive Brentwood, Tennessee 37027	Same	148-0-147

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is Five Million Six Hundred Thousand and No/100 Dollars ($5,600,000.00).

Affiant

SUBSCRIBED AND SWORN TO before me, this the 21st day of February, 2012.

DEBORAH A. HUGHES
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
MY COMMISSION EXPIRES: MAY 5, 2015

Deborah A. Hughes
Notary Public

My Commission Expires: May 5, 2015

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars ($10.00), the receipt and sufficiency of which are hereby acknowledged, Apollo Apartments, a Tennessee

limited partnership ("Grantor"), has bargained and sold, and by these presents does transfer and convey unto The Park at Richards Road Apartments, L.P., a Tennessee limited partnership ("Grantee"), its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, more particularly described as follows (the "Property"):

Being a 17.09, more or less, acre tract of land lying in the 31st Councilmanic District of Davidson County, Tennessee. Also being all of Lots 1, 2 and a portion of the Reserved parcel on the Plan of the Resubdivision of Lots 1, 2, 3, 4 and 5, Cummings Park as of record in Book 4460, page 8, Register's Office for Davidson County, Tennessee.

Beginning at an existing concrete monument lying on the northerly margin of Richards Road; said monument being further described as being the southeast corner of Lot 2 on the Plan of Resubdivision of Lots 1, 2, 3, 4 and 5, Cummings Park of record in Book 4460, page 8, Register's Office for Davidson County, Tennessee; thence running with the said northerly margin of Richards Road (as widened) North 88° 19' West, a distance of 1030.14 feet to a concrete monument; thence around a curve, having a radius of 30 feet to the right a distance of 47.12 feet to a concrete monument lying on the easterly margin of Cummings Park Drive; thence leaving said northerly margin of Richards Road (as widened) and running with said easterly margin of Cummings Park Drive North 1° 41' East, a distance of 170 feet to a concrete monument, said monument being the northwest corner of Lot 1 on the said plan of Cummings Park; thence leaving the said easterly margin of Cummings Park Drive as recorded and running along the easterly margin of Cummings Park Drive as recorded and running along the easterly margin of Cummings Park as proposed North 1° 41' East, a distance of 668 feet to a point; thence South 88° 19' East, a distance of 655.90 feet to a point, said point being 30 feet west of the said centerline of the L&N Railroad; thence running parallel to and 30 feet west of said L&N Railroad South 23° 17' 20" East, a distance of 957.51 feet to the point of beginning, containing 17.09, more or less, acres.

Being the same property conveyed to APOLLO APARTMENTS, A TENNESSEE LIMITED PARTNERSHIP, by deed from THOMAS L. CUMMINGS, JR. AND WIFE, ANN JAMES, recorded in Book 4592, page 180, in the Register's Office of Davidson County, Tennessee (the "Register's Office").

The Property is improved property known as 850 Richards Road, Nashville, Tennessee.

This conveyance is expressly made subject to the following matters (the "Encumbrances"):

1. General or special taxes and assessments required to be paid in the year 2012 and subsequent years for Map-Par. 148-0-147.

2. Matters shown on the Plan recorded in Book 4300, page 164, in the Register's Office.

3. Title to that portion of the premises, if any, embraced within the charter right-of-way of L&N Railroad.

4. 35 foot easement to NC and STL Railroad recorded in Book 2043, page 369, in the Register's Office.

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 covenants 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 further covenants and binds 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 Encumbrances), but not further or otherwise. This conveyance is expressly made subject to the Encumbrances.

Witness my hand this 9th day of ~~December, 2011~~ January, 2012.

[Signature Page Follows]

SIGNATURE PAGE TO SPECIAL WARRANTY DEED

Apollo Apartments, a Tennessee limited partnership

By: _____
Robert A. Keenan, General Partner

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

Before me, Patty Whitehead, a Notary Public of said County and State, personally appeared Robert A. Keenan, 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 General Partner of Apollo Apartments, the within named bargainor, a Tennessee limited partnership, and that he as such partner executed the foregoing instrument for the purposes therein contained, by signing the name of the limited partnership by himself as General Partner.

Witness my hand and seal, at Office in Nashville, Tennessee, this 9th day of ~~December~~ January, 2012.

_____
Notary Public

My Commission Expires: 7-3-12

PATTY WHITEHEAD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
COMM. EXP. 7-3-12