BILL GARRETT, Davidson County
Trans:T20120053329 DEEDTRS
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Fees:28.00 Taxes:66600.00
20120719-0063648

This Instrument Prepared By:
Brendi E. Kaplan, Esq.
WYATT, TARRANT & COMBS, LLP
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203

Address New Owner(s):	Send Tax Bills To:	Map & Parcel Numbers:
ERGS HI NASHVILLE REO, L.L.C. Attn: Archon Group, L.P. 6011 Connection Drive Irving, Texas 75039	Same as Owner	**0921617400**

SUCCESSOR TRUSTEE'S DEED

WHEREAS, a default occurred under the terms and conditions provided for in that Fee and Leasehold Deed of Trust, Assignment of Leases and Rents and Security Agreement, executed by 1719 West End Holdings, LLC, a Tennessee limited liability company, and 1719 West End Operations, LLC, a Tennessee limited liability company to 1st Trust Title, Inc., Trustee, for the benefit of CIBC INC, of record as Instrument No. 20071029-0127434, Register's Office for Davidson County, Tennessee (the "Deed of Trust"); and

WHEREAS, CIBC INC, assigned said Deed of Trust to ERGS HI NASHVILLE, L.L.C., a Delaware limited liability company, pursuant to that Assignment of Fee and Leasehold Deed of Trust, Assignment of Leases and Rents and Security Agreement of record at Instrument Number 20120606-0049551, said Register's Office.

WHEREAS, the Deed of Trust covers real property located in Davidson County, Tennessee, known as 1719 West End Avenue, and described with greater particularity in Exhibit A, attached and incorporated by reference (hereinafter the "Real Property").

WHEREAS, Brendi E. Kaplan was appointed Successor Trustee by ERGS HI NASHVILLE, L.L.C., the owner and holder of the indebtedness, by and instrument of record at Instrument Number 20120621-005465, said Register's Office, with authority to act alone with the powers given unto the Trustee; and

WHEREAS, ERGS HI NASHVILLE, L.L.C. is the owner and holder of the indebtedness secured by said Deed of Trust, and as such has authorized the above-referenced Successor Trustee to act in accordance with the powers given the Trustee in the Deed of Trust to foreclose on the Real Property; and

WHEREAS, Successor Trustee caused the Real Property to be advertised in accordance with the provisions of said Deed of Trust, advertising that said Real Property would be sold at 10:00 A.M., Central Standard Time, on July 19, 2012, at the front door of the Historic Metro Courthouse, Davidson County, Tennessee, to be offered and sold to the highest, best and last bidder for cash, subject to all matters shown on any applicable recorded plat or plan; any unpaid taxes which exist as a lien against said Real Property, including, without limitation, any unpaid city and county property taxes which exist as a lien against the Real Property, and city and county taxes for the current year; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, and any prior liens or encumbrances that may exist against the Real Property, and sold "As Is" concerning the condition of the Real Property. This sale is also subject to any matter that an accurate survey of the Real Property might disclose; and

WHEREAS, the Successor Trustee personally appeared and offered the Real Property for sale at public outcry to the highest, best and last bidder at which sale the Real Property was struck off and sold for Eighteen Million and No/100 Dollars ($18,000,000.00) to **ERGS HI NASHVILLE REO, L.L.C.**, a Delaware limited liability company (hereinafter referred to as the "Grantee");and

WHEREAS, Grantee has complied with the terms of the bid.

NOW, THEREFORE, in consideration of compliance with the terms of said bid, the premises, and the sum of Eighteen Million and No/100 Dollars ($18,000,000.00) cash in hand paid by or on behalf of the Grantee, and for other valuable consideration, the receipt and sufficiency of which were acknowledged, Brendi E. Kaplan, Successor Trustee has this day

bargained and sold and, by these presents, does transfer and convey the Real Property, as described above and in Exhibit A, to Grantee, its successors, and assigns.

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

The Successor Trustee conveys said Real Property subject to all mortgages, liens, claims, rights and any and all unpaid taxes of whatever nature that may be liens against it. It is the intention of the Successor Trustee to convey to Grantee no greater title in the subject Real Property than she received as Successor Trustee.

Notwithstanding anything to the contrary contained herein, it is expressly understood and agreed that the Real Property is sold, transferred and conveyed **"AS IS" AND "WHERE IS," AND WITH ALL FAULTS AND DEFECTS, LATENT OR OTHERWISE, AND THAT TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES, EITHER EXPRESSED OR IMPLIED, BY OPERATION OF LAW OR OTHERWISE, WITH RESPECT TO THE QUALITY, PHYSICAL CONDITIONS OR VALUE OF THE REAL PROPERTY, THE REAL PROPERTY'S HABITABILITY, SUITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, THE PRESENCE OR ABSENCE OF CONDITIONS ON THE REAL PROPERTY THAT COULD GIVE RISE TO A CLAIM FOR PERSONAL INJURY, PROPERTY OR NATURAL RESOURCE DAMAGES; THE PRESENCE OF HAZARDOUS OR TOXIC SUBSTANCES, MATERIALS OR WASTE, SUBSTANCES, CONTAMINANTS, OR POLLUTANTS ON, UNDER OR ABOUT THE REAL PROPERTY; OR THE INCOME OR EXPENSES FROM OR OF THE REAL PROPERTY.**

[SIGNATURE ON FOLLOWING PAGE]

Witness my hand this 19th day of July, 2012.

Brendi E. Kaplan, Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public of this County, Brendi E. Kaplan, Successor Trustee, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 19th day of July, 2012.

NOTARY PUBLIC

My Commission Expires: 3.8.16

SAUNDRA D. DUDEK
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN
My Comm. Expires March 8, 2016

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $18,000,000.00.

AFFIANT

Subscribed and sworn before me on this 19th. day of July, 2012.

NOTARY PUBLIC

My Commission Expires: 3.8.16

SAUNDRA D. DUDEK
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN
My Comm. Expires March 8, 2016

EXHIBIT A

(Property Description)

Being a 0.783 acre tract of land known as 1719 West End Avenue, Metropolitan Nashville and Davidson County, Tennessee and being more particularly described as follows:

Beginning at an iron pin located on the southerly right of way margin of West End Avenue, 90 feet right of way as its intersection with the easterly right of way margin of 18th Avenue North, 50 foot right of way, said iron pin marks the northwesterly property corner of the hereon described tract of land; thence, following the southerly right of way margin of West End Avenue North 60°17' 44" East, 115.00 feet to an iron pin; thence, leaving West End Avenue and following the westerly boundary of the Third National Bank property of record in Deed Book 1636, Page 305, R.O.D.C., TN. South 29°54'09" East, 162.40 feet to an iron rod; thence, South 29°53' 34" East, 116.84 feet to an iron pin located in the northerly right of way margin of Broadway Street, 60 foot right of way; thence, following said right of way margin South 43°13'34" West, 120.06 feet to an iron pin located at the intersection of the northerly right of way margin of Broadway Street and the easterly right of way margin of 18th Avenue North; thence, following the easterly right of way margin of 18th Avenue North, North 29°55'06" West, 314.48 feet to the point of beginning; tract contains 34,124.9 sq. ft., or 0.783 acres more or less, according to survey dated August 13, 2007, revised October 25, 2007, by Volunteer Land Surveying Services RLS#819, P. O. Box 100310, Nashville, Tennessee 37214.

Being the same property conveyed to 1719 West End Holdings, LLC, a Tennessee limited liability company, from Midtown Plaza, LLC, a Tennessee limited liability company, by Quitclaim Deed of record at Instrument Number 20071029-0127433, Register's Office for Davidson County, Tennessee.