BILL GARRETT, Davidson County
Trans:T20140064762 DEEDWARRSP
Recvd: 09/02/14 10:27 5 pgs
Fees:28.00 Taxes:22200.00
20140902-0079584

Prepared by:
Return this Instrument To:
Ron Ben-Moshe, Esquire
McClure & Kornheiser, LLC
6400 Powers Ferry Road
Suite 150
Atlanta, Georgia 30339

Name and Address of New Owner:	**Send Tax Bills To:**	**Map and Parcel No.:**
Metrocenter Apartment Homes, LLC **7100 Peachtree Dunwoody Road** **Suite 200** **Atlanta, Georgia 30328**	**Metrocenter Apartment Homes, LLC** **7100 Peachtree Dunwoody Road** **Suite 200** **Atlanta, Georgia 30328**	**81-4-221**

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF Ten Dollars ($10.00) and other good and valuable consideration, the receipt and legal sufficiency of all of which hereby are acknowledged, **HORSEPOWER REALTY, LLC,** a Tennessee limited liability company (herein "Grantor") does hereby bargain, sell, transfer and convey unto **METROCENTER APARTMENT HOMES, LLC**, a Delaware limited liability company (herein "Grantee") the property described on **Exhibit "A"** attached hereto and made a part hereof, subject to all easements, restrictions and other matters of record more particularly described on **Exhibit "B"** attached hereto and made a part hereof. Notwithstanding anything to the contrary contained herein or in any exhibit hereto, Grantor makes no warranty as to the amount of acreage contained in the subject property.

TO HAVE AND TO HOLD the same unto Grantee, its successors and assigns, forever in fee simple.

Grantor covenants that it has full power and lawful authority to sell and convey the real estate and it will warrant and defend the title against all persons claiming the same by, through or under it, but not further or otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument on the 27th day of August, 2014.

HORSEPOWER REALTY, LLC, a Tennessee limited liability company

By: _____
Earl H. Dunn, Jr., President

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, a Notary Public in and for the state and county aforesaid, personally appeared Earl H. Dunn, Jr., to me known (or proved to me on the basis of satisfactory evidence) to be the President of **HORSEPOWER REALTY, LLC,** the within named bargainor, a Tennessee limited liability company, who acknowledged that he executed the foregoing instrument for the purposes therein contained on behalf of said limited liability company in its capacity as President.

WITNESS my hand at office this 27th day of August, 2014.

JOE VAULX CROCKETT, III
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires JULY 3, 2017

_____
Notary Public
My Commission Expires:

STATE OF Georgia)
COUNTY OF Cobb)

I, Pablo Diego, hereby swear or affirm that, to the best of my knowledge, information and belief, the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is $6,000,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant-Grantee

Subscribed and sworn to before me this 27th day of Aug, 2014.

Notary Public

My Commission Expires: 11/1/16

K. R. KILGORE
NOTARY PUBLIC
My Commission Expires
11-01-2016
COBB COUNTY, GEORGIA

EXHIBIT "A"

Legal Description

Lot No. 1as shown on the Plan of Resubdivision of Lot 1, MetroCenter, Tract 10A and Tract 1 as of record in Instrument No. 20070301-0025435, Register's Office for Davidson County, Tennessee.

Said land is further described as follows:

Being parcel of land in the First Civil District, Second Councilmanic District, Nashville, Davidson County, Tennessee, located on the southerly margin of Vantage Way, and the northerly margin of Interstate I-65 being Lot No. 1, as shown on Resubdivision of Lot 1 Metrocenter Tract 10A and Tract 1, of record in Instrument No. 20070301-0025435, R.O.D.C., (being the westerly portion of the property shown in Plat Book 7900, page 849, in said Register's Office) and being more particularly described as follows:
BEGINNING at an "x" on curb in the southerly right-of-way of Vantage Way at the northwest corner of Lot 1 on said Resubdivision of Lot 1 Metrocenter Tract 10A and Tract 1, and at the northeast corner of Metrocenter 10A, of record in Plat Book 7900, Page 389, R.O.D.C.;
THENCE, with said right-of-way and a curve concave to the north 613.31 feet to an Iron Rod (Old) said curve having a central angle of 15° 40' 25", a radius of 2242.00 feet a tangent of 308.58 feet and a chord of N 75°05' 59" E, 611.40 feet;
THENCE, continuing with said right-of-way, N 67 ° 15' 47" E, 91.38 feet to a point in the northwest corner of Lot No. 2 of the Resubdivision of Lot 1 Metrocenter Tract 10A and Tract 1;
THENCE, leaving said right-of-way with the westerly line of Lot 2 the following calls:
S 17° 47' 40" W, 732.14 feet to a point, S 33°37' 57" E, 371.59 feet to a point in the northerly right-of-way of Interstate I-65;
THENCE, along said northerly right-of-way the following calls:
S 46° 35' 59" W, 51.81 feet to an Iron Rod (Old)
S 39° 50' 38" W, 151.43 feet to an Iron Rod (Old) located in the southeast corner of property conveyed to Arthur Steve Yokley Sr. of record in Instrument No. 200609050109291, R.O.D.C.;
THENCE, with Yokley's easterly line, N 44° 13' 00" W, 301.90 feet to a point in the southerly line of property conveyed to James E. and Peony P. Brown of record in Instrument No. 200201100004073, R.O.D.C.;
THENCE, with Brown's southerly and easterly lines the following calls:
N 45° 18' 57" E, 7.34 feet to a point
N 44°39' 35" W, 45.48 feet to a point
S 45° 18' 55" W, 6.99 feet to a point in the easterly line of Lot 2 Resubdivision of Part of Block "E" Tract 10A, Metrocenter of record in Plat Book 7900, Page 848, R.O.D.C.;
THENCE, with said easterly line the following calls:
N 44° 13' 00" W, 208.74 feet to an Iron Rod (Old),
S 58° 26' 35" W, 105.38 feet an Iron Rod (Old),
N 55° 37' 33" W, 210.96 feet to an Iron Rod (Old) in the easterly line of Lot 1 Metrocenter Tract 10A of record in Plat Book 7900, Page 389, R.O.D.C.;
THENCE, with said easterly line, N 14° 23' 58" E, 519.63 feet to the point of beginning.

Containing 487.099 Square Feet or 11.18 Acres more or less.

Being the same property conveyed to Horsepower Realty, LLC, a Tennessee limited liability company by deed from American Realty Trust, a Georgia corporation of record in Instrument No. 20070302-0026031, Register's Office of Davidson County, Tennessee.

EXHIBIT "B"

Title Exceptions

1. Taxes for the year of 2014 a lien, not yet due and payable.

2. Subject to all matters shown on the Plan of MetroCenter, Section One of record in Plat Book 4675, pages 48 and 49, Register's Office of Davidson County, Tennessee.

3. Subject to all matters shown on the Plan of Resubdivision Lot Two, MetroCenter, Tract 10 A, and Tract 1 of record in Plat Book 7900, page 849, Register's Office of Davidson County, Tennessee.

4. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions of of record in Book 7487, page 952, as amended in Book 10602, Page 499, and as affected by Waiver in Instrument No. 20060531-0063833, Register's Office for Davidson County, Tennessee, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap but does not discriminate against handicapped persons.

5. Restrictive Covenants of record in Book 9420, page 176 said Register's Office.

6. 30 Foot Gasline Easement of record in Book 1450, page 550, said Register's Office.

7. 20 Foot Gasline Easement of record in Book 3649, page 94, as amended in Book 4873, page 406, said Register's Office.

8. 20 Foot Sanitary Force Main Easement of record in Book 2634, page 124, said Register's Office.

9. 20 Foot Sanitary Sewer Easement of record in Book 3464, page 302, said Register's Office.

10. Sanitary Sewer Easement granted to the City of Nashville of record in Book 3312, page 52, said Register's Office.

11. Sewer easement carrying an eight inch force main of record in Book 4771, page 27, said Register's Office.

12. Subject to all matters shown on the Plan of Resubdivision of Lot 1, MetroCenter, Tract 10A and Tract 1 of record as Instrument No. 20070301-0025435, Register's Office of Davidson County, Tennessee.