Davidson County	DEEDWARRSP
Recvd: 09/16/15 16:23	5 pgs
Fees:28.00 Taxes:18500.00	
20150916-0094173	

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $ 5,000,000.00 .

, MEMBER
Affiant

Subscribed and sworn to before me, this the 25th day of August, 2015.

Notary Public
My commission expires: 6-25-19

ELIZABETH P. WATKINS NOTARY PUBLIC COLUMBIA CO., GEORGIA MY COMMISSION EXPIRES JUNE 25 2019

This instrument prepared by
JOE VAULX CROCKETT, III, ESQ.
Suite 1050 American Center
3100 West End Avenue
Nashville, Tennessee 37203

Address New Owner:	Send Tax Bills To:	Map/Parcel No.
The Duke Apartments of Nashville, LLC 720 Sebastian Way, Suite 1 Augusta, Georgia 30901	Same	07113000200

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named GRANTEE, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, HORSEPOWER, J.V., a Tennessee joint venture and general partnership, hereinafter called "GRANTOR", has bargained and sold, and by these presents does transfer and convey unto THE DUKE APARTMENTS OF NASHVILLE, LLC, a Georgia limited liability company, hereinafter called "GRANTEE", its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:

See Exhibit A attached hereto

Said property is transferred subject to the limitations, restrictions, and encumbrances set forth on Exhibit B attached hereto.

This is unimproved property located at 281 Cumberland Bend (formerly 100 Cumberland Bend), Nashville, Tennessee 37228.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns, forever, and GRANTOR further covenants and binds itself, its successors and assigns to warrant specially and forever defend the title to said real estate to GRANTEE, its successors and assigns, against the lawful claims of all persons claiming through and under GRANTOR (other than claims arising out of the matters set forth above), but not further or otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS its hand this 17th day of August, 2015.

GRANTOR:

HORSEPOWER, J.V., a Tennessee joint venture and general partnership

By: _____
Earl H. Dunn, Jr.
Title: Managing General Joint Venturer

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I HEREBY CERTIFY THAT on this 17th day of August, 2015, before the undersigned, a Notary Public of the State and County aforesaid, personally appeared Earl H. Dunn, Jr. who acknowledged himself to be the Managing General Joint Venturer of HORSEPOWER, J.V., a Tennessee joint venture and general partnership, and that he, as such Managing General Joint Venturer, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal, at office in Nashville, Tennessee, this the 17th day of August, 2015.

_____
NOTARY PUBLIC

My Commission Expires: _____

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

Exhibit "A"

Legal Description of the Property

LAND IN DAVIDSON COUNTY TENNESSEE, BEING A PARCEL OF LAND IN NASHVILLE, FIRST CIVIL DISTRICT, SECOND COUNCILMANIC DISTRICT, DAVIDSON COUNTY, TENNESSEE, LOCATED IN THE SOUTHEAST CORNER OF THE INTERSECTION OF GREAT CIRCLE ROAD AND VANTAGE WAY, BEING LOT 4G AS SHOWN ON METROCENTER, TRACT 4M & 4G OF RECORD IN PLAT BOOK 6200, PAGE 751, R.O.D.C., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY RIGHT-OF-WAY OF GREAT CIRCLE ROAD AT THE TERMINATION OF VANTAGE WAY;

THENCE, LEAVING SAID RIGHT-OF-WAY N 54° 47' 33" E, 117.00 FEET TO A POINT AND THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, WITH SAID CURVE ALONG SOUTHERLY LINE OF PROPERTY CONVEYED TO CHARLES DUNCAN, ET.UX. OF RECORD IN INST. NO. 20030918138206, R.O.D.C., 165.17 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 17° 57' 27", A RADIUS OF 527.00 FEET, A TANGENT OF 83.27 FEET, AND A CHORD OF N 63° 46' 17" E, 164.50 FEET;

THENCE, WITH SAID LINE N 72° 45' 00" E, 102.75 FEET TO A POINT IN THE WESTERLY LINE OF PROPERTY CONVEYED TO CUMBERLAND BEND INVESTORS, L.P. OF RECORD IN BOOK 8800, PAGE 144, R.O.D.C.;

THENCE, WITH SAID WESTERLY LINE S 20° 00' 00" E, 31.22 FEET TO A PK NAIL AT THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, CONTINUING WITH SAID LINE, ALONG SAID CURVE 194.38 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 55° 41' 12", A RADIUS OF 200.00 FEET, A TANGENT OF 105.64 FEET, AND A CHORD OF S 67° 39' 36" E, 186.82 FEET;

THENCE, ALONG A WESTERLY LINE OF PROPERTY CONVEYED TO LINEBERRY PROPERTIES, INC. OF RECORD IN INST. NO. 2001072679269, R.O.D.C., S 39° 49' 00" E, 203.72 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE LEFT;

THENCE, WITH SAID CURVE 93.91 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 43° 02' 37", A RADIUS OF 125.00 FEET, A TANGENT OF 49.29 FEET, AND A CHORD OF S 61° 20' 25" E, 91.72 FEET;

THENCE, WITH SAID LINE S 27° 15' 00" E, 250.76 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY OF GREAT CIRCLE ROAD;

THENCE, ALONG SAID RIGHT-OF-WAY THE FOLLOWING CALLS:
S 74° 20' 51" W, 107.50 FEET TO A CONCRETE MONUMENT;
S 67° 28' 32" W, 223.80 FEET TO A CONCRETE MONUMENT AT THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, WITH SAID RIGHT-OF-WAY, ALONG SAID CURVE 296.88 FEET TO A CONCRETE MONUMENT, SAID CURVE HAVING A CENTRAL ANGLE OF 77° 19' 01", A RADIUS OF 220.00 FEET, A TANGENT OF 175.99 FEET, AND A CHORD OF N 73° 51' 58" W, 274.86 FEET;

THENCE, WITH SAID RIGHT-OF-WAY N 35° 12' 27" W, 479.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 321,808 SQUARE FEET OR 7.39 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO HORSEPOWER J.V., A TENNESSEE GENERAL PARTNERSHIP BY DEED FROM SEV METROCENTER IV, A TENNESSEE LIMITED LIABILITY COMPANY OF RECORD IN INSTRUMENT NO. 201410150095352, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

EXHIBIT "B"
Exceptions to Title

281 Cumberland Bend, Nashville, Tennessee 37228

(1) Property taxes and assessments for 2015 and subsequent years; (2) All matters appearing on the plat of record in Plat Book 6200, page 751, Register's Office for Davidson County, Tennessee; (3) Declaration of Restrictive Covenant of record in Book 9420, page 176, said Register's Office; (4) Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions of record in Book 7487, page 952, and as amended in Book 10602, Page 499, and as affected by Waiver in Instrument No. 20060531-0063833, said Register's Office; (5) Terms, conditions, easements, rights and liens in favor of Mat-Nel Company, as set forth in the Master Deed of record in Book 5028, page 333, as amended in Book 5035, page 972, said Register's Office; (6) Restrictive Covenants of record in Book 4784, page 659, as amended by Amendment to Protective Covenants and Waiver of Repurchase Right for MetroCenter Tracts, of record in Book 11503, page 607, said Register's Office; and (7) All applicable governmental and zoning regulations.

TRUE COPY CERTIFICATION

I, Jay H. Smith, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee:

County of Davidson:

Personally appeared before me, Denise C. Allis-Wilburn, a notary public for this county and state, Jay H. Smith, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Denise C. Allis Wilburn
, Notary Public

My commission Expires: 9-10-18
(affix Notary seal)

DENISE C. ALLIS-WILBURN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 9-10-2018