

Deed Book 14504 Pg 2793
Filed and Recorded Jun-21-2007 11:02am
2007-0098699

After recording return to:

McGuire Woods LLP
901 E. Cary Street
Richmond, Virginia 23219
Attention: Matthew T. Gunlock, Esq.

Record and Return to:
Renee M. Holly
Fidelity National Title
1800 Parkway Place, Suite 700
Marietta, GA 30067
File No. 11143
Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

J.C. Stephenson

NOTICE OF INTEREST

RE

Notice is hereby given pursuant to Section 19 of that certain Easements with Covenants and Restrictions Affecting Land ("ECR"), dated January 14, 1999, and recorded with the Clerk of Superior Court, Cobb County, Georgia at Deed Book 12108, Page 162, that on June 13, 2007, Gemini East West S, LLC, a Delaware limited liability company and Gemini East West H, LLC, a Delaware limited liability company (together, the "Buyer"), acquired fee simple title to Tract 4 (as defined in the ECR) of the East West Shops Shopping Center, such tract of land being subject to the ERC and more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

All notices to which Buyer is entitled pursuant to the ECR shall be addressed as follows:

Gemini East West H, LLC
c/o Gemini Management Company, LLC
16740 Birkdale Commons Parkway, Suite 301
Huntersville, NC 28078
Attention: Dante Massaro

And:

Gemini East West S, LLC
c/o Gemini Management Company, LLC
16740 Birkdale Commons Parkway, Suite 301
Huntersville, NC 28078
Attention: Dante Massaro

With a copy to:

McGuireWoods LLP
901 East Cary Street
Richmond, Virginia 23219
Attention: T. Craig Harmon, Esq.

In accordance with Section 19 of the ECR, a copy of this Notice of Interest has been sent via certified mail, return receipt requested, to the Existing Interest Holders (as such term is defined in Section 19 of the ECR).

R.E. Hodges, Jr., Esq.
2230 Towne Lake Parkway
Bldg. 200, Ste. 120
Woodstock, Georgia 30189
Hodges (678) 266-1100

(21)

IN WITNESS WHEREOF, the undersigned has caused this Notice of Interest to be executed as of this 13 day of June, 2007.

GEMINI EAST WEST H, LLC,
a Delaware limited liability company

By: Donk A. Massaro
Name: Donk A. Massaro
Its: Vice President

GEMINI EAST WEST S, LLC,
a Delaware limited liability company

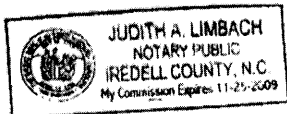
By: Donk A. Massaro
Name: Donk A. Massaro
Its: Vice President

Signed, sealed, and delivered
in the presence of:

Ben My
Unofficial Witness

Judith A. Limbach
Notary Public
Commission Expires 11/25/09

(Affix notarial seal)



**EXHIBIT A
LEGAL DESCRIPTION**

ALL THAT TRACT or parcel of land lying and being in Land Lots 924, 925, 926 and 927 of the 19th District, 2nd Section of Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING commence at a concrete monument found at the mitered intersection of the easterly right-of-way line of Floyd Road (a variable right-of-way) and the southerly right-of-way line of the East-West Connector Road (right-of-way varies) and run thence in an easterly direction along the southerly right-of-way line of the East-West Connector Road a distance of 1,687.25 feet to an iron pin found and the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING continue along the southerly right-of-way line of the East-West Connector Road, south 76 degrees 44 minutes 03 seconds east a distance of 34.19 feet to a concrete monument found; thence continuing along said southerly right-of-way line along the arc of a 5,819.58 foot radius curve an arc distance of 490.83 feet, said arc being subtended by a chord lying to the north thereof and having a bearing of south 79 degrees 01 minute 44 seconds east and a chord distance of 490.69 feet; thence continuing along said southerly right-of-way line along the arc of a 5,819.58 foot radius curve an arc distance of 397.63 feet, said arc being subtended by a chord lying to the north thereof and having a bearing of south 83 degrees 24 minutes 09 seconds east and a chord distance of 397.55 feet; thence leaving the East-West Connector Road southerly right-of-way, south 10 degrees 09 minutes 25 seconds west a distance of 264.55 feet to an iron pin found; thence north 85 degrees 11 minutes 14 seconds west for a distance of 35 feet to an iron pin found; thence south 18 degrees 57 minutes 12 seconds west of a distance of 532.84 feet to an iron pin found; thence north 88 degrees 50 minutes 35 seconds west for a distance of 724.45 feet to an iron pin found; thence north 01 degrees 45 minutes 55 seconds east for a distance of 898.21 feet to an iron pin found and the TRUE POINT OF BEGINNING.

LESS AND EXCEPT from the above described property that portion of subject property conveyed by Limited Warranty Deed from Gipson/East-West, LLC to Halle Properties, LLC, dated September 7, 2001, recorded in Deed Book 13429, page 4798, Cobb County, Georgia records.

Said tract containing 15.740 acres and being more particularly shown on that certain ALTA ACSM Land Title Survey for Sun Life Assurance Company of Canada (U.S.), Gipson/East-West, L.L.C. & Chicago Title Insurance Company dated August 3, 2004, last revised August 19, 2004, by TerraMark Land Surveying, Inc., William C. Wohlford, Jr., GRLS No. 2577.

TOGETHER WITH Easements with Covenants and Restrictions Affecting Land between Wal-Mart Real Estate Business Trust, Jacob/Lindbergh Properties II, L.L.C., Austell Shops Associates, L.L.C. and Gipson/East-West, L.L.C., dated as of January 14,

1999, recorded in Deed Book 12108, page 162, Cobb County, Georgia records; as affected by First Amendment to Easements with Covenants and Restrictions Affecting Land, dated January 31, 2000, recorded in Deed Book 13239, page 4333, aforesaid records; and as further amended by Amendment dated June 16, 2003, recorded in Deed Book 1798, page 884, aforesaid records.

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Deed Book 14504, p. 2796
Jay L. Stephenson
Clerk of Superior Court Cobb Cty. Ga.