BOOK 5026 PAGE 899 map 161-6 par. 130

WARRANTY DEED

THIS INDENTURE, made and entered into this 12th day of May, 1976, by and between THE KROGER CO., a corporation organized and existing under and by virtue of the laws of the State of Ohio, party of the first part, and Joseph E. Adwell and Virginia M. Adwell, his wife, as joint tenants by the entireties and not as tenants in common, party of the second part,

WITNESSETH: That for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the County of Davidson, State of Tennessee:

Being Lot No. 264 on the Plan of Huntington Park, Section 2, of record in Book 4175, Page 108, Register's Office for said County.

Said Lot No. 264 fronts 85.00 feet on the southerly side of Huntington Ridge Drive and extends back 159.30 feet on the westerly line and 151.15 feet on the easterly line to a dead line measuring 87.66 feet thereon.

Being the same property conveyed to The Kroger Co. by deed from Edwin G. Hansberry, Jr., and wife, Patricia W. Hansberry of record in Book 5026, Page 897, Register's Office for Davidson County, Tennessee.

Subject to liens, plats, setback line, easements, reservations, restrictive covenants, plans, and restrictions of record and taxes for the year 1976 and all subsequent years.

TO HAVE AND TO HOLD the aforesaid real estate together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, its heirs, or successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good

right to sell and convey the same; that the same is unencumbered, and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons claiming by, through or under it but not further or otherwise.

Whenever the word "party" is used herein, it shall mean "parties" if there are more than one person referred to and whenever pronouns occur herein, they shall be construed according to their proper gender and number according to the context of this instrument.

IN WITNESS WHEREOF, party of the first part has caused this instrument to be executed by and through its duly authorized officers the day and year first above written.

ATTEST:

Assistant Secretary

THE KROGER CO.

BY: Arthur Juergens
Vice President

BY: George A. Leonard
Vice President

APPROVED LAW DEPT.

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned Notary Public in the State and County aforesaid, personally appeared Arthur Juergens and George A. Leonard, with whom I am personally acquainted and who, upon oath, acknowledged themselves to be the Vice Presidents of The Kroger Co., the within named bargainor, a corporation, and that they as such Vice Presidents, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by themselves as such Vice Presidents.

WITNESS my hand and Official Seal at office this 12th day of May, 1976.

Sandra D. Bruner
Notary Public
SANDRA D. BRUNER
Notary Public, Hamilton County, Ohio
My Commission Expires March 18, 1979

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I hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $ 39,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subsribed and sworn to before me this 12th day of May, 1976.

Notary Public

SANDRA D. BRUNER
Notary Public, Hamilton County, Tenn.
My Commission Expires March 18, 1979

This deed prepared by Lewis L. Clum, Attorney-at-Law.

ADDRESS NEW OWNER:

Joseph E. Adwell
621 Huntington Ridge Drive
Nashville, Tn. 37211

SEND TAX BILLS TO:

Mortgage Associates, Inc.
1835 Savoy Drive, N.E., Suite 300
Atlanta, Georgia 30341

D 49962

IDENTIF REFERENCE

MAY 19 2 09 PM '76

REGISTER
DAVIDSON COUNTY, TENN.

MAY 19% CONV 39,500.00
MAY 19% S'TAX @* 102.70
MAY 19% R'FEE @* .50
MAY 19% DEED @* 8.00 * 111.20

BOOK 5026 PAGE 902

RESOLUTION

RESOLVED, That any two of the following persons be, and hereby are, authorized for and on behalf of this Company to sell or transfer real property, and in fulfillment of such sale or transfer to execute and deliver deeds and any other documents necessary or incident to such sale or transfer where the consideration for any one such sale or transfer does not exceed the sum of Five Hundred Thousand Dollars ($500,000) to wit: the Chairman of the Board, Vice Chairman of the Board, President, Executive or Senior Vice President, any elected Vice President, and any other officer thereunto duly authorized by the Chairman of the Board or the President; and that the Secretary or any Assistant Secretary may impress thereon the seal of this Company and attest the execution of such deeds or other documents, except that no such officer may attest such deeds or other documents as have been executed by him in accordance with this resolution.

This resolution is in substitution for a similar resolution adopted by the Board of Directors at its regular meeting on February 12, 1971, which said resolution shall be of no further force or effect.

* * * * * * * * * * * * *

I, LEWIS L. CLUM , Assistant Secretary of The Kroger Co., a corporation organized and existing under and by virtue of the laws of the State of Ohio, do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Board of Directors of The Kroger Co. at a regular meeting held on January 9, 1976, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Corporation on the 12th day of May, 19 76.

Lewis L. Clum

Assistant Secretary