This Instrument Prepared By:
BASS, BERRY & SIMS (KBS)
2700 First American Center
Nashville, Tennessee 37238

GENERAL WARRANTY DEED BOOK 6129 PAGE 518

| Address New Owner(s): | Send Tax Bills To: | Map-Parcel Nos. |
|---|---|---|
| The Kroger Co.<br>Tax Dept.<br>1014 Vine Street<br>Cincinnati, Ohio<br>45202 | Same | To be assigned ER |

For and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid and other good and valuable consideration, receipt of which is hereby acknowledged, I, Michael H. Clark ("Grantor") have bargained and sold, and by these presents do transfer and convey unto The Kroger Co., an Ohio corporation, ("Grantee"), its successors and assigns, forever, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

BEING a tract of land located in the First Civil District of Metropolitan Nashville and Davidson County, Tennessee and being known as Tract No. 4 of "Elysian Plaza" as recorded in Plat Book 5200, page 602, R.O.D.C., Tennessee and being more particularly described as follows:

BEGINNING at an iron pin located in the westerly right-of-way margin of Nolensville Pike, said iron pin being located South 40°, 53', 23" East, a distance of 394.26 feet along Nolensville Pike's westerly right-of-way margin from said margins intersection with the southerly right-of-way margin of Elysian Fields Road; Thence, following the westerly right-of-way margin of Nolensville Pike, South 40°, 53', 23" East a distance of 140.95 feet to an iron pin; Thence, following a curve to the right having a central angle of 12°, 49', 38", a radius of 1977.14 feet for an arc distance of 442.63 feet to a point, said point being the northeasterly corner of Tract No. 1 of the aforementioned "Elysian Plaza"; Thence, leaving the margin of Nolensville Pike and following the boundary of Tract No. 1 of "Elysian Plaza", South 68°, 19', 27" West a distance of 186.16 feet; Thence, South 49°, 58', 12" West a distance of 19.05 feet; Thence, South 20°, 52', 49" East a distance of 168.00 feet to a point in the northerly boundary of the R. C. Wallace property said point is also the Southwest corner of the aforementioned "Elysian Plaza's" Tract No. 1; Thence, following the northerly boundary of R. C. Wallace property and Welshwood Park property South 71°, 38', 34" West a distance of 182.47 feet to a point; Thence, following a curve to the left having a central angle of 0°, 45', 48" a radius of 2855.80 feet for an arc distance of 38.05 feet to an iron pin; Thence, South 71°, 38', 34" West a distance of 304.48 feet to an iron pin; Thence, North 83°, 02', 40" West a distance of 287.89 feet to an iron pin located in the easterly boundary of Elysian Park Subdivision as recorded in Plat Book 2331, page 32, R.O.D.C., Tennessee; Thence, following said boundary North 7°, 47', 24" East a distance of 335.06 feet to an iron pin; Thence, North 9°, 52', 15" East a distance of 206.40 feet to a concrete

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monument; Thence, following the southerly boundary of the South Central Bell property, North 45°, 39', 04" East a distance of 102.29 feet to a monument; Thence, North 49°, 49' 58" East a distance of 210.01 feet to an iron pin; Thence, following the H. G. Hill Property South 32°, 42' 02" East a distance of 114.20 feet to an iron pin; Thence, North 54°, 15', 58" East a distance of 156.60 feet to an iron pin; Thence, North 33°, 07', 58" East a distance of 45.70 feet to an iron pin; Thence, North 48°, 39', 01" East a distance of 23.65 feet to the point of beginning.

TRACT contains 474,987 square feet or 10.90 acres more or less.

Included in the above description of Tract No. 4 but excluded from said tract's area is Tract No. 2 of "Elysian Plaza" as recorded in Plat Book 5200, page 602, R.O.D.C., Tennessee.

BEING part of the property conveyed to Michael H. Clark by deed from Mary Hicks Proctor, of record in Book 6128, page 981, Register's Office for Davidson County, Tennessee and being all of the property conveyed to Michael H. Clark by deed from Joe Meeks, Trustee, of record in Book 6128, page 957, said Register's Office and being part of the property conveyed to Michael H. Clark by deed from J. R. Resha, Trustee, of record in Book 6128, page 978, said Register's Office and being all of the property conveyed to Michael H. Clark by deed from The Convention of the Protestant Episcopal Church in the Diocese of Tennessee of record in Book 6128, page 970, said Register's Office and being part of the property conveyed to Michael H. Clark by deed from F. Compton Wallace and wife, Martha Wallace, Joe D. Williams and wife, Jean Williams and Richard C. Wallace and wife, Susan T. Wallace, of record in Book 6128, page 961, said Register's Office.

Together with all rights of Grantor set forth in Declaration of Reciprocal Easements and Restrictions of record in Book 6129, page 163, said Register's Office, and all rights of Grantor set forth in the agreement relative to the proposed construction of a roadway contained in the deed from F. Compton Wallace, et al. to Michael H. Clark of record in Book 6128, page 961, said Register's Office.

Said property is unencumbered, except as follows:

1. Taxes for the current year, which have been prorated and assumed by the Grantee.

2. Matters shown on the plan of record in Book 5200, page 602, said Register's Office.

3. An easement granted Southern Bell Telephone and Telegraph Company by grant from A. P. Mays and wife, of record in Book 1298, page 488, said Register's Office.

4. Agreement relative to the proposed construction of a roadway contained in the deed from F. Compton Wallace, et al. to Michael H. Clark, of record in Book 6128, page 961, said Register's Office.

5. Declaration of Reciprocal Easements and Restrictions of record in Book 6129, page 163, said Register's Office.

6. Sewer Easement of record in Book 5366, page 360, said Register's Office.

Teresa F. Clark, wife of Michael H. Clark, executes this instrument for the purpose of acknowledging and consenting to this conveyance, including the transfer of any property interest that may have accrued to her by virtue of her marriage to Michael H. Clark.

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 I do covenant with the said Grantee that I am lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out. And I do further covenant and bind myself, my heirs and representatives to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns against the lawful claims of all persons, whomso ever.

WITNESS our hands this 2d day of September, 1983.

Michael H Clark
Michael H. Clark

Teresa F. Clark
Teresa F. Clark

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Michael H. Clark and wife, Teresa F. Clark the bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 2d day of September, 1983.

Keith B. Simmons
Notary Public

KEITH B. SIMMONS NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires:

4/21/85

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property (whichever is greater) is $ 1,882,747.

Frederick William Kinsel
Affiant

Sworn to and subscribed before me this 2d day of September, 1983.

Keith B. Sellers
Notary Public

KEITH B. SELLERS NOTARY PUBLIC AT LARGE STATE OF TENN

My Commission Expires:

4/21/85

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IDENTIF. REFERENCE

SEP 2 3 38 PM '83

FELIX Z. HILL, JR. REGISTER
DAVIDSON COUNTY, TN

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# OFFICIAL RECEIPT

FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF BOOK 6129 PAGE 522

FOR

CO -CONVEYANCE
MO -MORTGAGE
WD -WARRANTY DEED
TD -TRUST DEED

CC -CERTIFIED COPY
REL -RELEASE
UCC -UNIFORM COMMERCIAL CODE

MISC -MISCELLANEOUS
CO TX -STATE TAX CONVEY
MO TX -STATE TAX MORT
PRFEE -PROBATE FEE

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|
| | CO. | 1,882,74700 | | |

4895.02 CO TX
.50 PRFEE
12.00 WDEED
CHECK 4907.52=
4844A09/02/83 BAL .00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

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IDENTIF. REFERENCE

SEP 2 3 38 PM '83

FELIX Z. WILSON II REGISTER DAVIDSON COUNTY, TN

No. 976220