BOOK 8216 PAGE 679

Map 75-14
Parcel 135

CORPORATE FORM

WARRANTY DEED

MST Tract Reference: _____

THIS INDENTURE, made and entered into this 4th day of October 19 90, by and between PENNMARK INVESTMENT GROUP III, INC.

a corporation organized and existing under and by virtue of the laws of the State of Pennsylvania, party of the first part, and USF&G/FIDELITY RETAIL ASSOCIATES LIMITED PARTNERSHIP, a Maryland limited partnership

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 all 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 Nashville County of Davidson, State of Tennessee:

See Schedule A annexed

RECORDER'S MEMO
Legibility of Writing, Typing or Printing in this Document Unsatisfactory when received

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, except all matters presently of record

and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

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.

PENNMARK INVESTMENT GROUP III, INC.

ATTEST:
Donald L. Besecker, Jr. Secretary

By: _____
President
George E. Marucci, Jr.

STATE OF TENNESSEE, COUNTY OF ~~SHELBY~~ ~~MARYLAND~~ ~~BALTIMORE~~ Pennsylvania Chester

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared George E. Marucci, Jr. with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be the president (or other officer authorized to execute the instrument) of Pennmark Investment Group III, INC. the within named bargainor, a corporation, and that he as such president executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as president.

WITNESS my hand and Official Seal at office this 4th day of October 1990

My Commission expires: _____

Notary Public

Notarial Seal
Cynthia Kirsten Rand, Notary Public
Tredyffrin Township, Chester County
My Commission Expires March 9, 1992

(FOR RECORDING DATA ONLY)

Property address _____

Address of New Owner and
Mail tax bills to: (Person or Agency responsible for payment of taxes)
USF&G/Fidelity Retail Associates Limited Partnership
100 Light Street
Baltimore, MD 21201

This instrument prepared by:
Joseph N. Friedman, Esq.
575 Lexington Avenue, NY, NY 10022

State tax	$ 17,183.10
Register's fee	1.00
Recording fee	4.00
Total	

T.G. #

Return to:

Form 39 Revised 9/20/83

I, or we, 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 $5,206,125 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this 4th day of October 19 90

Notary Public

JULIE S. HELMEY NOTARY PUBLIC ANNE ARUNDEL COUNTY, MD.

Mid-South Title Insurance Corporation

P. O. BOX 432, MEMPHIS, TENN.

MST

RETURN TO:
COMMONWEALTH TITLE AGENCY
OF NASHVILLE, INC.
333 Gallatin Road South
Madison, TN 37115

Being a parcel of land in the Second Civil District, Nashville, Davidson County, Tennessee, located in the southeasterly quadrant of the intersection of Old Hickory Boulevard and Lebanon Road, being Lot Nos. 4 and 6 as shown on the plan of Wal-Mart Center as of record in Book 6900, Page 3, R.O.D.C., first revision recorded March 4, 1987 in Book 6900, Page 237, R.O.D.C., and being more particularly described as follows:

Beginning at the point of intersection of the easterly margin of Old Hickory Boulevard and the easterly margin of the Seaboard System Railroad.

THENCE, with said easterly margin of the Seaboard System Railroad with a curve to the left 660.70 feet to a point, said curve having a central angle of 19°26'38", a radius of 1946.90 feet and a tangent of 333.56 feet;

THENCE, leaving said easterly margin with the southerly line of Lot No. 2 as shown on the plan of Wal-Mart Center, of record in Book 6900, Page 237, R.O.D.C., S84°25'E, 293.64 feet to a point;

THENCE, with the easterly line of said Lot No. 2 and a portion of the easterly line of Lot No. 3, as shown on said plan NO5°35'E, 225.00 feet to a point;

THENCE, continuing with said easterly line of Lot No. 3 with a curve to the right 112.99 feet to a point, said curve having a central angle of 13°48', a radius of 469.13 feet, and a tangent of 56.77 feet;

THENCE, with the northeasterly line of said Lot No. 3, N37°21'W, 206.28 feet to a point in the southeasterly margin of Lebanon Road;

THENCE, with said southeasterly margin N34°58'E, 116.96 feet to a point;

THENCE, leaving said southeasterly margin with the westerly line of Lot No. 5, as shown on the aforementioned plan of Wal-Mart Center, the following calls:

S43°32'E, 110.00 feet to a point;

With a curve to the right 75.88 feet to a point, said curve having a central angle of 23°30'00", a radius of 185.00 feet and a tangent of 38.48 feet;

With another curve to the right 73.51 feet to a point, said curve having a central angle of 42°06'56", a radius of 100.00 feet and a tangent of 38.50 feet;

THENCE, with the southerly line of said Lot No. 5, N66°52'36"E, 120.42 feet to a point;

THENCE, with the westerly line of Hermitage Estates, as of record in Book 3300, Page 70, R.O.D.C., S17°57'E, 635.82 feet to a point;

THENCE, with a portion of the northerly line of Luree Estates, as of record in Book 5210, Page 103, R.O.D.C., S86°24'W, 7.60 feet to a point;

THENCE, with the westerly line of said Luree Estates S04°36'W, 362.72 feet to a point;

THENCE, with a portion of the northerly line of Hermitage Estates, as of record in Book 3300, Page 70, R.O.D.C., S78°57'W, 82.82 feet to a point;

THENCE, with the westerly line of said Hermitage Estates S15°20'E, 150.40 feet to a point;

THENCE, leaving said westerly line, with the northerly line of the property conveyed to Nashville Electric Service by deeds of record in Book 3922, Page 468, and Book 3930, Page 517, R.O.D.C., S07°15'W, 166.70 feet to a point;

THENCE, continuing with said northerly line N86°36'W, 215.77 feet to a point;

THENCE, with the westerly line of said Nashville Electric Service property S03°23'W, 399.94 feet to a point; BOOK 8216 PAGE 681

THENCE, N86°37'W, 65.07 feet to a point in the easterly margin of Old Hickory Boulevard;

THENCE, northerly with said easterly margin with a curve to the right 93.29 feet to a point, said curve having a central angle of 02°55'15", a radius of 1829.86 feet and a tangent of 46.65 feet;

THENCE, leaving said margin with the southerly, easterly, and northerly lines of Lot No. 1, as shown on the plan of Wal-Mart Center, as of record in Book 6900, Page 237, R.O.D.C., the following calls:

With a curve to the left 107.16 feet to a point, said curve having a central angle of 83°14'54", a radius of 73.75 feet and a tangent of 65.53 feet;

NO3°23'E, 285.00 feet to a point;

N84°25'W, 213.37 feet to a point in the easterly margin of Old Hickory Boulevard;

THENCE, with said easterly margin N16°07'W, 56.11 feet to the point of beginning.

Containing 13.79 acres, more or less

Included in the above described parcel, but expressly excluded there from is Lot No. 4, as shown on the plan of Wal-Mart Center, as of record in Book 6900, Page 273, R.O.D.C. and being more particularly described as follows:

Being a parcel of land in the Second Civil District of Nashville, Davidson County, Tennessee, located east of Old Hickory Boulevard and south of Lebanon Road (U.S. Highway 70), more particularly described as follows:

BEGINNING at a point located in the easterly margin of a proposed drive located approximately 30 feet southeast of the southeasterly corner of Outlot 3, said corner being located S37°21'26"E, 206.28 feet from a point in the southerly margin of Lebanon Road, said point being 435 feet, more or less, northeast of the easterly margin of the Seaboard System Railroad property:

THENCE, S55°28'45"E, 188.05 feet;

THENCE, S19°10'26"E, 138.79 feet;

THENCE, N72°21'32"W, 95.00 feet;

THENCE, N84°25'00"W, 127.00 feet to a point in the easterly margin of a proposed drive;

THENCE, with said drive, N05°35'00"E, 26.00 feet;

THENCE, N84°25'W, 8.00 feet;

THENCE, N05°35'E, 77.00 feet;

THENCE, N08°45'E, 94.23 feet to the point of beginning; Containing 0.67 acre, more or less.

BEING the same property conveyed to Pennmark Investment Group III, Inc., by Warranty Deed from Wal-Mart Properties, Inc., a Delaware corporation, of record in Book 7256, page 970, Register's Office for Davidson County, Tennessee.

PICK-UP

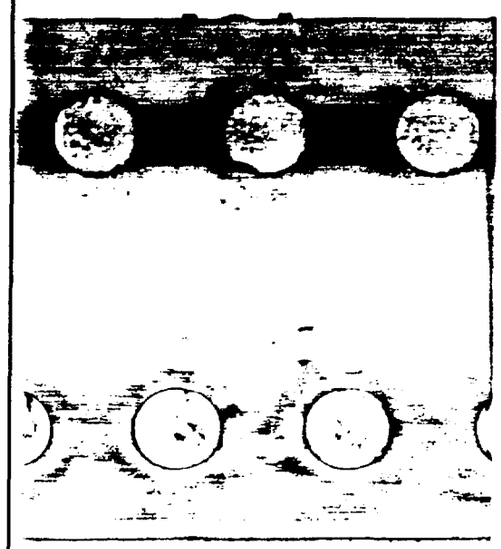
863 10/12 0101 03CHECK 17190.13

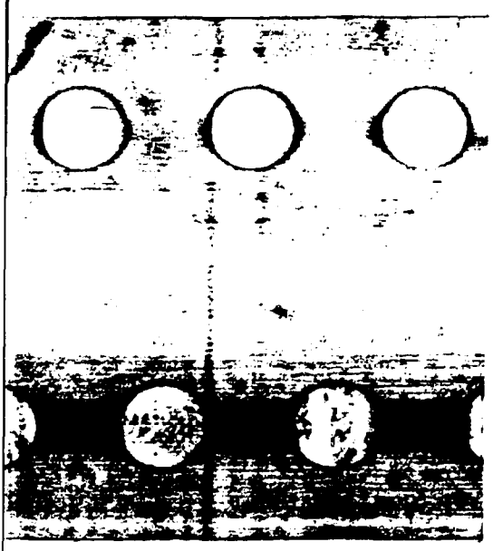
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY TN.

OCT 12 3 28 PM '90

IDENTIF. TREFERENCE

64655





OFFICIAL RECEIPT

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

RECEIVED OF _____

FOR _____

BOOK 8216 PAGE 682

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TAX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TAX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL

CAMT 5206125.00
CON TX 17180.13
PRFEE 1.00
WDEED 9.00
TOTAL 17190.13
CHECK 17190.13

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

10/12/90 01 15:30 0001 9863

64655

IDENTIF. TREFERENCE

OCT 12 3 28 PM '90

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY TN.

No. 364115