Box 37 LL

THIS INSTRUMENT PREPARED BY:
JANICE N. SMITH, ESQ.
LONG, ALDRIDGE & NORMAN
ONE PEACHTREE CENTER
SUITE 5300
303 PEACHTREE STREET
ATLANTA, GEORGIA 30308

BOOK 9085 PAGE 833

QUITCLAIM DEED OF RELEASE

ADDRESS OF NEW OWNER AS FOLLOWS:

W. B. WIGGINS, JR.
One Securities Centre, Suite 1214
3490 Piedmont Road, N.E.
Atlanta, Georgia 30305

****

SEND TAX BILLS TO:

MAP PARCEL NUMBERS:

W. B. WIGGINS, JR.
One Securities Centre, Suite 1214
3490 Piedmont Road, N.E.
Atlanta, Georgia 30305

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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, K MART CORPORATION, A MICHIGAN CORPORATION (F/K/A S.S. KRESGE COMPANY), HEREINAFTER CALLED THE GRANTOR, HAS BARGAINED AND SOLD, AND BY THESE PRESENTS DOES TRANSFER AND CONVEY UNTO W. B. WIGGINS, JR., A GEORGIA RESIDENT, HEREINAFTER CALLED THE GRANTEE, HIS HEIRS AND ASSIGNS, ALL RIGHT, TITLE AND INTEREST OF GRANTOR IN AND TO THAT CERTAIN TRACT OR PARCEL OF LAND IN THE COUNTY OF DAVIDSON, STATE OF TENNESSEE, DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN (THE "PROPERTY").

BEING A PORTION OF PROPERTY CONVEYED BY DEED RECORDED IN BOOK 7252, PAGE 437, REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, AND A PORTION OF PROPERTY CONVEYED BY QUITCLAIM DEED FROM PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY RECORDED IN BOOK 8745, PAGE 61, REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

THIS QUITCLAIM DEED OF RELEASE HAS BEEN EXECUTED AND DELIVERED TO EVIDENCE THE RELEASE OF THE PROPERTY FROM THAT CERTAIN LEASE DATED APRIL 17, 1973, BETWEEN S.S. KRESGE COMPANY AND GRANTEE, AS AMENDED BY LEASE MODIFICATION AGREEMENT DATED MAY 17, 1973 AND BY SECOND LEASE MODIFICATION AGREEMENT DATED OCTOBER 30, 1974, WHICH LEASE IS EVIDENCED BY THAT CERTAIN MEMORANDUM OF LEASE DATED APRIL 18, 1973, RECORDED IN BOOK 4831, PAGE 676, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE (COLLECTIVELY, THE "LEASE").

IN WITNESS WHEREOF, GRANTOR HAS SIGNED AND SEALED THIS QUITCLAIM DEED OF RELEASE AS OF THE 2nd DAY OF September, 1993.

K MART CORPORATION, a Michigan corporation

By: _____
Title:

[CORPORATE SEAL]

253113

~~STATE OF TENNESSEE~~

COUNTY OF _____

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared _____, who is the _____ of K MART CORPORATION, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and who executed the foregoing instrument as _____ of K MART CORPORATION for the purposes therein contained by signing his name.

Witness my hand and official seal at _____ on this the ____ day of _____, 1993.

My commission expires:

Notary Public

STATE OF Georgia

COUNTY OF Cobb

This transfer is exempt from Tennessee Deed Tax as it is a release of the subject property from the Lease.

a B wiggins
AFFIANT

Personally appeared before me this 25th day of August, 1993, the affiant, with whom I am personally acquainted (or upon the basis of satisfactory evidence presented to me), and who, after being duly sworn, made oath that the foregoing statement of consideration or value is true and correct to the best of his knowledge, information and belief.

WITNESS my hand and seal at Atlanta, Georgia this 25th day of August, 1993.

Irene Baker
Notary Public

My Commission expires:

Notary Public, Cobb County, Georgia
My Commission Expires June 22, 1996

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

STATE OF MICHIGAN)
COUNTY OF OAKLAND) SS:

I do hereby certify that on this 2nd day of September, 1993, before me, Irene F. Hammond, a Notary Public and in and for the County and State aforesaid, and duly commissioned, personally appeared M. L. Skiles, known to me to be the Senior Vice President of Kmart Corporation, who, being by me duly sworn, did depose and say that he resides in Rochester; that he is the Senior Vice President of Kmart Corporation, the corporation described in and which executed the foregoing instrument; he knows the seal of said corporation; that, on behalf of said corporation and by order of its board of directors, he signed, sealed and delivered said instrument for the uses and purposes therein set forth, as its and their free and voluntary act; and that he signed his name thereto by like order.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

IRENE F. HAMMOND
Notary Public, Macomb County, Michigan
Acting in Oakland County, Michigan
My Commission Expires July 10, 1995

My commission expires: _____

Irene F. Hammond
Notary Public

EXHIBIT "A"

A tract of land located in the First Civil District of Davidson County, Tennessee at the northwest corner of Donelson Pike and Royal Parkway, and being more particularly described as follows:

Beginning at a chiseled cross on sidewalk on the west right-of-way of Donelson Pike, said cross being 240.00 feet north of the centerline of Royal Parkway and proceeding as follows:

1. With the west right-of-way of Donelson Pike south 4° 36' west a distance of 175.13' to a cross on sidewalk, and being the northwest radius of Donelson Pike; thence,

2. Around a curve to the right having a radius of 25.0' a distance of 39.14' to an old iron pin, and being the northwest radius of Royal Parkway; thence,

3. With the north right-of-way of Royal Parkway north 85° 42' west a distance of 160.13' to a new iron pin, thence,

4. Leaving the north right-of-way of Royal Parkway north 4° 36' east a distance of 200.00 feet to a P.K. nail, thence;

5. South 85° 42' east a distance of 185.0' to the point of beginning containing 36,867 square feet as per survey by Turner Engineering Company dated 7-12-93, recorded in Plat Book 8250, Page 216 of the Davidson County Register's Office, Tennessee and being Job NO.56-67 W.O. #6727.

64709
IDENTIF. A REC. SE
93 SEP 20 PM 2:12
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.
7396 09/20 0101 CKCHECK 12.00