95-28056 GTK Box 49

58240

IDENTIFICATION REFERENCE

95 MAY -5 PM 1:44

FELIX DeLAUNTER REGISTER DAVIDSON COUNTY, TN.

CORPORATE FORM
WARRANTY DEED

THIS INDENTURE, made and entered into this 27th day of April 1995, by and between

ROASTERS CORP.

BOOK 9665 PG 478

a corporation organized and existing under and by virtue of the laws of the State of
party of the first part, and

CNL INCOME FUND XVI, LTD., A FLORIDA 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 Madison County of Davidson State of Tennessee:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR LEGAL DESCRIPTION

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 for easements and restrictions 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.

ROASTERS CORP.

ATTEST:

BY: Gregory D. Barnett

Its: Executive Vice President

Secretary

RECORDER'S MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Gregory Dollarhyde with whom I am personally acquainted, (or proved to be on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be the Executive V.P. president (or other officer authorized to execute the instrument) of Roasters Corporation the within named bargainor, a corporation, and that he as such , executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Gregory Dollarhyde.

WITNESS my hand and Official Seal at office this 15T day of May, 1995

My Commission expires:

ALEXANDRA M PEPPIS
My Commission CC393421
Expires Jul. 18, 1998
Bonded by HAI
800-422-1555

Notary Public

(FOR RECORDING DATA ONLY)

Property address

Mail tax bills to: (Person or Agency responsible for payment of taxes)
CNL Income Fund XVI, LTD.
c/o Roasters Corp.
899 West Cyprus Creek Rd., Suite 500
Ft. Lauderdale FL 33309

This instrument prepared by: Owen Dempsey, Attorney (NEW OWNER)
c/o Roasters Corp., 899 West Cyprus Creek Rd., Suite 500
Ft. Lauderdale FL 33309

State tax $
Register's fee
Recording fee
Total
T.G. #
Return to:

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 $ 251,197.02 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. Roasters Corp.

By: Owen Dempsey
Affiant
attorney for Seller

Subscribed and sworn to before me this 15T day of May, 1995

Notary Public

ALEXANDRA M PEPPIS
My Commission CC393421
Expires Jul. 18, 1998
Bonded by HAI
800-422-1555

EXHIBIT "A"

LAND in Davidson County, Tennessee, being Lot No. 2, on the Plan of Krispy Kreme Subdivision, as shown on plat of record in Plat Book 7900, page 790, in the Register's Office of Davidson County, Tennessee, being more particularly described as follows:

A tract of land in the Second Civil District, formerly the Tenth Civil District, of Metropolitan Nashville and Davidson County, Tennessee, said tract being part of the same property described in Deed of record in Book 9370, page 101, Book 9370, page 105, as re-recorded in Book 9372, page 516, Register's Office for Davidson County, Tennessee, and being more fully described as follows:

BEGINNING at an iron pin in the East margin of Gallatin Pike, said point being the southwest corner of Lot No. 1 of Shepherd Hills Section No. 1 as recorded in Book 2331, page 46, Register's Office for Davidson County, Tennessee, and proceeding as follows:

1. Along the South boundary of said Lot 1, South 26° 58' 00" East, a distance of 257.04 feet to an existing iron pin, said iron pin being the northeast corner of the herein described property; thence,

2. With the northwesterly line of Lot One of Burr & Betha Subdivision as recorded in Plat Book 4955, page 119, Register's Office for Davidson County, Tennessee, South 48° 14' 06" West, a distance of 80.22 feet to an iron pin set; thence,

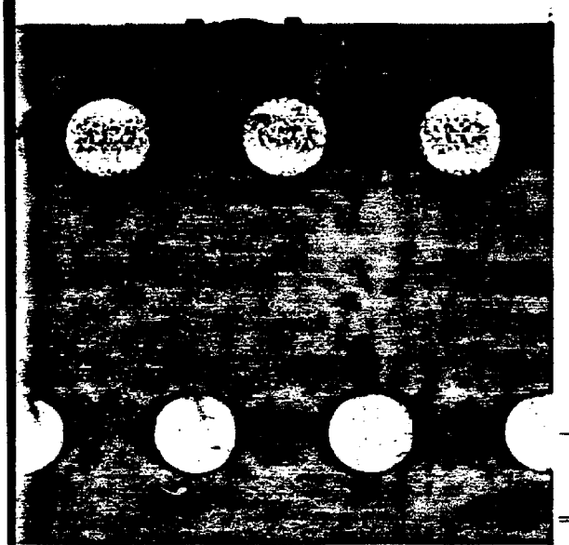
3. With a new line of division, North 45° 22' 11" West, a distance of 254.38 feet to an iron pin set in the southeasterly margin of Gallatin Pike; thence,

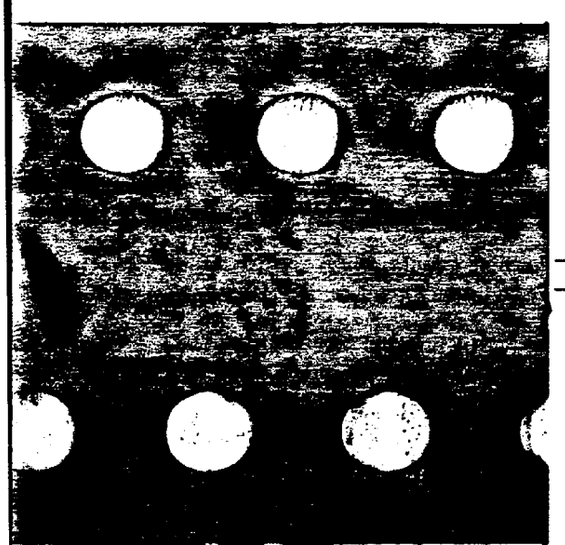
4. Along the margin of Gallatin Pike in a northeasterly direction and curve to the right, having a radius of 1845.86 feet, a distance of 162.01 feet to the point of beginning, containing an area of 30,664 square feet or 0.704 of an acre, said curve has a chord bearing and distance of North 50° 07' 46" East, 161.96 feet, according to a survey dated July 25, 1994 and prepared by Ragan-Smith Associates, Inc., 315 Woodland Street, Nashville, Tennessee.

BEING the same property conveyed to Roasters Corp., by Deed of Record in Book 9501, page 779, Register's Office for Davidson County, Tennessee.

TOGETHER with a perpetual non-exclusive easement for the purpose of ingress and egress to and from the Property over the Krispy Kreme Premises as set forth in Exhibit "B" to that certain Warranty Deed by Krispy Kreme Donut Corporation to and in favor of Roasters Corp. dated October 24, 1994 and recorded October 25, 1994 in Official Records Book 9501, page 779, Register's Office for Davidson County, Tennessee (the "Warranty Deed") and a perpetual non-exclusive easement for the installation, maintenance, repair, replacement and removal of a sewer line within the Sewer Easement Area also as set forth in Exhibit "B" to the Warranty Deed.

10/25/94 0101 03CHECK 27BB.43





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

RECEIVED OF _____

FOR _____

BOOK 9665PG480

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

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

CAMT	751197.02
CON TX	2779.43
PRFEE	1.00
WDEED	8.00
TOTAL	2788.43
CHECK	2788.43

05/05/95 01 13:51 0001 8208

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

58240
IDENTIF. ↑ REFERENCE

95 MAY -5 PM 1:44
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No. 907618