49

QUITCLAIM DEED

(Store #U-533)

BOOK 10694 PAGE 883

THIS INSTRUMENT WAS PREPARED BY:
Thomas P. O'Brien, Jr., Esq.
The Kroger Co.
1014 Vine Street
Cincinnati, Ohio 45202

Map - Parcel Number: 69-37; 69-4-226; and 69-4-119

Person or agency responsible for payment of taxes: Grantee

GRANTOR: The Kroger Co.
ADDRESS: 1014 Vine Street
Cincinnati, OH 45202

1689 11/24 0101 03CHECK 16.00

GRANTEE: Kroger Limited Partnership I
ADDRESS: 1014 Vine Street
Cincinnati, OH 45202

OATH

The undersigned hereby affirms, to the best of his knowledge, information, and belief, that the actual consideration for this transfer is $0.

Affiant

Subscribed and sworn to before me this 21st day of November, 1997.

Notary Public

My Commission Expires:

BRENDA R. ANDES
Notary Public, State of Ohio
My Commission Expires June 20, 1998

RECORDING INFORMATION

RECEIVED
NOV 24 PM 2:16
REGISTER'S OFFICE
DAVIDSON CO. TN.

03772978
IDENTIF. & REFERENCE

Know all men by these presents, that THE KROGER CO., an Ohio corporation, for and in consideration of Ten ($10.00) Dollars in hand paid by KROGER LIMITED PARTNERSHIP I, an Ohio limited partnership, whose tax mailing address is 1014 Vine Street, Cincinnati, Ohio 45202, Attn: Tax Department, the receipt whereof is hereby acknowledged, does remise, release, convey and forever quitclaim to the said KROGER LIMITED PARTNERSHIP I that certain real property located in Davidson County,

Tennessee, together with all appurtenances thereunto appertaining, and more particularly described in Exhibit "A" attached hereto and made a part hereof. Prior Deed Reference: Deed Book 9379, Page 258 and Deed Book 9379, Page 266 of the records of the Davidson County, Tennessee Register of Deeds.

IN TESTIMONY WHEREOF, THE KROGER CO., an Ohio corporation, has caused this Quitclaim Deed to be signed in its corporate name by a duly authorized officer and its corporate seal to be hereunto affixed and attested by its Assistant Secretary, this 21st day of November, 1997.

ATTEST:

Thomas P. O'Brien, Jr.
Assistant Secretary

THE KROGER CO.

By: Paul Heldman
Paul W. Heldman
Senior Vice President, Secretary
and General Counsel

WITNESSES:

Angela R Evans

Nancy White

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

This day, before me, a Notary Public of the State and County aforesaid, personally appeared Paul W. Heldman, Senior Vice President, Secretary and General Counsel of The Kroger Co., with whom I am personally acquainted and who upon oath acknowledged himself to be such officer of The Kroger Co., and that as such Senior Vice President, Secretary and General Counsel, being authorized so to do, executed the instrument for the purposes therein contained by signing in the name of the corporation as such officer.

Witness my hand and official seal this 21st day of November, 1997.

My commission expires:

BRENDA R. ANDES
Notary Public, State of Ohio
My Commission Expires June 20, 1998

Brenda R. Andes
Notary Public

EXHIBIT "A"

PROPERTY DESCRIPTION

BEING A TRACT OF LAND LYING IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE AND BEING BOUNDED ON THE WEST BY CLARKSVILLE HIGHWAY; ON THE NORTH BY JERRY K. ROGERS, E.B. SMITH, JR. AND HAYNES PARK SUBDIVISION-SECTION TWO; ON THE EAST BY HAYNES PARK SUBDIVISION-SECTION TWO; AND HAYNES PARK SUBDIVISION-SECTION ONE; ON THE SOUTH BY HAYNES PARK SUBDIVISION-SECTION ONE, WEST HAMILTON AVENUE, RESUBDIVISION OF LOT 1-SECTION ONE-HAMILTON PARK AND HAMILTON PARK-SECTION TWO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN IN THE EAST RIGHT-OF-WAY LINE OF CLARKSVILLE HIGHWAY, A CORNER COMMON WITH HAMILTON PARK-SECTION TWO, AS OF RECORD IN PLAT BOOK 4470, PAGE 195, R.O.D.C., BEING LOCATED APPROXIMATELY 512 FEET NORTHERLY OF THE NORTH RIGHT-OF-WAY RETURN OF WEST HAMILTON AVENUE;

THENCE, WITH THE EAST RIGHT-OF-WAY LINE OF CLARKSVILLE HIGHWAY, NORTH 08 DEG 29 MIN 31 SEC EAST, 1072.14 FEET TO AN IRON PIN IN THE EAST RIGHT-OF-WAY LINE OF CLARKSVILLE HIGHWAY, A CORNER COMMON JANETTE R. ROGERS, OF RECORD IN DEED BK. 8453, PG. 58, R.O.D.C.;

THENCE, WITH JANETTE R. ROGERS, PASSING A CORNER COMMON WITH BANK OF NASHVILLE, SOUTH 81 DEG 38 MIN 58 SEC EAST, 249.38 FEET TO AN IRON PIN, A CORNER COMMON WITH BANK OF NASHVILLE

THENCE, CONTINUING WITH BANK OF NASHVILLE THE FOLLOWING BEARINGS AND DISTANCES:
THENCE, SOUTH 08 DEG 17 MIN 27 SEC WEST, 178.14 FEET TO AN IRON PIN;
THENCE, SOUTH 81 DEG 31 MIN 20 SEC EAST, 148.66 FEET TO A CONC. MON., A CORNER COMMON WITH HAYNES PARK SUBDIVISION-SECTION TWO AS OF RECORD IN PLAT BOOK 4460, PAGE 51, R.O.D.C.;

THENCE, WITH HAYNES PARK SUBDIVISION-SECTION TWO THE FOLLOWING BEARINGS AND DISTANCES:
THENCE, SOUTH 81 DEG 38 MIN 38 SEC EAST, 600.72 FEET TO AN IRON PIN ;
THENCE, SOUTH 08 DEG 18 MIN 11 SEC WEST, 566.43 FEET TO A CONC. MON., A CORNER COMMON WITH HAYNES PARK SUBDIVISION-SECTION ONE AS OF RECORD IN PLAT BOOK 4300, PAGE 115, R.O.D.C;

THENCE, WITH HAYNES PARK SUBDIVISION, SECTION ONE, THE FOLLOWING BEARINGS AND DISTANCES:
THENCE, SOUTH 08 DEG 16 MIN 35 SEC WEST, 227.80 FEET TO AN IRON PIN;
THENCE, NORTH 81 DEG 39 MIN 26 SEC WEST 448.32 FEET TO AN IRON PIN;
THENCE, SOUTH 24 DEG 09 MIN 32 SEC EAST, 512.53 FEET TO A CORNER COMMON WITH HAYNES PARK SUBDIVISION- SECTION ONE IN THE NORTH RIGHT-OF WAY LINE OF WEST HAMILTON AVENUE;
THENCE, WITH THE NORTH RIGHT OF WAY LINE OF WEST HAMILTON AVENUE, SOUTH 83 DEG 39 MIN 57 SEC WEST, 51.72 FEET TO AN IRON PIN IN THE NORTH RIGHT OF WAY LINE OF WEST HAMILTON AVENUE, A CORNER COMMON WITH THE RESUBDIVISION OF LOT ONE-SECTION ONE-HAMILTON PARK, OF RECORD IN PLAT BOOK 4535, PAGE 12, R.O.D.C.;
THENCE, WITH SUBDIVISION OF LOT ONE-SECTION ONE-HAMILTON PARK, PASSING A CORNER COMMON WITH HAMILTON PARK-SECTION ONE, NORTH 24 DEG 10 MIN 33 SEC WEST, 530.32 FEET TO AN IRON PIN, A CORNER COMMON WITH HAMILTON PARK-SECTION TWO;
THENCE, CONTINUING WITH HAMILTON PARK-SECTION TWO, NORTH 81 DEG 44 MIN 22 SEC WEST, 494.90 FEET TO THE BEGINNING, CONTAINING 962,405 SQUARE FEET OR 22.16 ACRES, MORE OR LESS.

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

LESS AND EXCEPT:

OUTLOT "D"

Being a portion of the property conveyed to PNC Realty Holding Corporation of Georgia, by deed of record in Deed Book 8942, Page 530, R.O.D.C., located north of West Hamilton Avenue on the east margin of U.S. Highway 41-A in Nashville, Davidson County, Tennessee, and being more particularly described as follows:

Beginning at an iron pin in the east margin of U.S. Highway 41-A at the northwest corner of Hamilton Park, Section Two, of record in Plat Book 4470, Page 195, R.O.D.C.;

Thence, with said margin, North 08 degrees, 29 minutes, 31 seconds East, 190.00 feet to a point;

Thence, leaving said margin, South 81 degrees, 44 minutes, 22 seconds East, 200.00 feet to a point;

Thence, South 08 degrees, 29 minutes, 31 seconds West, 190.00 feet to a point in the north line of Hamilton Park, Section Two;

Thence, with said north line, North 81 degrees, 44 minutes, 22 seconds West, 200.00 feet to the point of beginning, containing 38,000 square feet or 0.87 acres, more or less.

TOGETHER WITH easements and other rights under the following documents: (1) Reciprocal Easement Agreement of record in Book 9379 , Page 266, Register's Office of Davidson County, Tennessee; and (2) Declaration of Reciprocal Easements and Restrictions recorded or to be recorded in the Register's Office of Davidson County, Tennessee.

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