Fil 35
CTK

This instrument prepared by:
Rulon D. Munns, Esquire
Bogin, Munns & Munns
P.O. Box 2807
Orlando, FL 32802

Return to:
Chicago Title Insurance Co.
~~6060 Poplar Ave. Suite LL37~~
~~Memphis, TN 38119-0916~~
414 Union St. - Suite 180.
Nashville TN. 37219

BOOK 11491 PG. 602

Albertson's # 4731
Highway 70 South
Nashville, TN

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this 24th day of MAY, 1999, by and between **New York Life Insurance Company**, a New York Mutual Insurance Company ("Grantor") and **Albertson's, Inc.**, a Delaware corporation ("Grantee"),

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, Grantor has bargained and sold and hereby bargains, sells, conveys and confirms unto Grantee the following described real estate, situated and being in the County of Davidson, State of Tennessee:

> All that certain real property described on Exhibit "A" attached hereto and incorporated herein by this reference, subject to the matters set forth on Exhibit "B" attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the aforedescribed real estate together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Grantee, its heirs, successors and assigns in fee simple forever.

Grantor hereby covenants with Grantee 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 title thereto it will warrant and forever defend against the lawful claims of all persons by, through or under Grantor but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by and through its duly authorized officer the day and year first above written.

WITNESSES:

Mardeen Freeman

Printed Name: MARDeen Freeman

Yvette J. Eaddy

Printed Name: YVETTE J. EADDY

GRANTOR:
New York Life Insurance Company,
a New York Mutual Insurance Company

By: _____
Printed Name: RON F. PETIT
Its: Assistant Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK

Before me, a Notary Public in and for said State and County, personally appeared RON F. PETIT as Assistant Vice President of **New York Life Insurance Company**, a New York Mutual Insurance Company, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person(s)) and who, upon oath, acknowledged himself/herself to be the Assistant V.P. of **New York Life Insurance Company**, the within named bargainor, a New York Mutual Insurance Company, and that he/she as such Assistant V.P., executed the foregoing instrument for the purposes therein contained by subscribing the name of the corporation, by himself/herself as Assistant V.P..

Witness my hand and seal at office in New York, New York this 20 day of May, 1999.

Lillian D. Acevedo
Notary Public
My commission expires: 9/2/99

LILLIAN D. ACEVEDO
Notary Public, State of New York
No. 24-4635301
Qualified in Kings County
Commission Expires

STATE OF Tennessee
COUNTY OF Davidson

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 Eight Million Two Hundred Fifty Thousand and No/100 Dollars ($8,250,000.00) which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Joseph B Pinch Jr.
Affiant

Subscribed and sworn to before me this 24th day of MAY, 1999.

Notary Public

My commission expires: 3/24/01

NOTARY PUBLIC STATE OF TENNESSEE AT LARGE

Property Address: 7604 Highway 70 South
Nashville, TN 37221

Address of Owner and Mail tax bills to:

Albertson's, Inc.
c/o Corporate Accounting Dept.
P.O. Box 20
Boise, ID 83726

Tax I.D. No. 142-0-299

MAP — 142

PARCEL — 299

State Tax	$_____
Register's Fee	_____
Recording Fee	_____
Total	$_____

List of Exhibits:
Exhibit "A" - Legal Description of Real Property
Exhibit "B" - Title Exceptions

EXHIBIT "A" TO SPECIAL WARRANTY DEED

LEGAL DESCRIPTION OF REAL PROPERTY

Land in Davidson County, Tennessee, being Lot No. 6 on the Plan of the First Revision of the Resubdivision of Lots 3, 4, 5, 6, 7 and 8 Bellevue Center as shown on a plat of record in Plat Book 7900, Pages 473 and 474, Register's Office for said County (the "Plat"). Reference is here made to the Plat for a metes and bounds description of the Property.

This is the same description as that used in the prior deed.

Being the same property conveyed to New York Life Insurance Company, a New York Mutual Insurance Company, by deed from Bruno's Inc., an Alabama corporation, of record in Book 10438, Page 524, Register's Office of Davidson County, Tennessee.

Together with:

(i) Reciprocal rights inuring to the benefit of the above described property as set forth in that certain Construction, Operation and Reciprocal Easement Agreement of record in Book 7762, Page 492, said Register's Office.

(ii) All appurtenant easements as shown on the Plat.

0590664
IDENTIFICATION REFERENCE
99 MAY 24 PM 3:36
BILL BARRETT REGISTER
DAVIDSON COUNTY, TN.

EXHIBIT "B" TO SPECIAL WARRANTY DEED

TITLE EXCEPTIONS

This conveyance of said Property is made subject to the following:

1. Conditions of the Owner's Certificate, easements, setback lines and other matters appearing upon the Plat as defined in Exhibit "A".

2. Matters shown on a survey of the Property prepared by Barge, Waggoner, Sumner & Cannon, as most recently revised April 18, 1997, including the following:

(a) 10 foot sanitary sewer easement, public utility and drainage easement;

(b) 15 foot minimum building set back lines;

(c) 15 foot drainage easement;

(d) 25 foot drainage easement;

(e) 30 foot public utility and drainage easement;

(f) 10 foot sidewalk and public utility easement; and

(g) pylon sign easement;

3. Notice of Setback of record in Book 10438, Page 516 in the Register's Office of Davidson County, Tennessee.

4. Lease dated December 5, 1996, between Bruno's, Inc. and AmSouth Bank of Tennessee, which lease was assigned by that certain Assignment of Lease between Bruno's, Inc. and Albertson's, Inc. dated as of August 24, 1998.

98064-30

OFFICIAL RECEIPT

BILL GARRETT
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

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	CFEE	- COMPUTER FEE	PRFEE	- PROBATE FEE

BOOK 11491 PG. 606

0590664

IDENTIFICATION REFERENCE

SEP 24 PM 3:35

REGISTER'S OFFICE
DAVIDSON COUNTY, TN.

AMT 8250,000.00
~~$25000.00~~
CO TX 30525.00
CFEE 1.00
MISC 16.00
CFEE 2.00
TOTAL 30544.00
CHECK 30544.00
15:40 0001 000B

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

No. 1464602