FILE BOX 57

6909

This Instrument Was Prepared By:
Jack in the Box Inc.
9330 Balboa Ave
San Diego, CA 92123-1517
Attn: Real Estate Legal Dept.

Davidson County DEEDWARR
Recvd: 12/08/00 10:08 6pgs
Fees:27.00 Taxes:5624.00
20001208-0121037

Address New Owner(s)	Send Tax Bills to:	Map and Parcel:
Fred R. Waugh, Trustee P.O. Box 7997, Riverside 92513	Jack in the Box 9330 Balboa Ave. San Diego, CA 92123-1526 Attn: Property Tax	Map: 85 Parcel: 98

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, JACK IN THE BOX INC., a Delaware corporation (the "Grantor"), has this day bargained and sold, and does hereby transfer and convey to Fred R. Waugh, Trustee of the Waugh Family Trust under Declaration of Trust dated March 28, 1974 (the "Grantee"), its successors and assigns, the following described land in Davidson County, Tennessee, to-wit:

> A parcel of land in Nashville, First Civil District, Fourteenth Councilmanic District, Davidson County, Tennessee, located generally on the southeast side of Lebanon Road between Jackson Downs Boulevard and the Stones River, and being Lot No. 11, as shown on the Plan, First Revision, Lots 7, 11 and 12, Jackson Downs Commercial, as of record in Plat Book 8250, Page 921, R.O.D.C. and being more fully described in Exhibit "A" attached hereto and made a part hereof.
>
> This is improved property known as 3133 Lebanon Pike, Nashville, TN 37412.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the said Grantee and its successors and assigns, forever. Grantor covenants with said Grantee that Grantor is lawfully seized and possessed of said land in fee simple and has a good right to convey it. Grantor further covenants and binds itself, its successors, and assigns to warrant and forever defend the title to said real estate against the lawful claims of all persons claiming by, through or under it, but no further or otherwise.

Grantor hereby reserves for itself, its successors and assigns, those certain fixtures and equipment as set forth and described on Exhibit "B" attached hereto and made a part hereof.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on the 5th day of DECEMBER, 2000.

JACK IN THE BOX INC., a Delaware corporation

By: _____
Vice President

By: _____
Assistant Secretary



STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

Before me, Delard D. Barnes, a Notary Public in and for the State and County aforesaid, personally appeared David M. Theno and Donna J. O'Donnell, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged themselves to be the Vice President and Assistant Secretary, respectively, of **JACK IN THE BOX INC.**, the within named bargainor, a corporation, and that they as such Vice President and Assistant Secretary, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by the said David M. Theno signing the name of the corporation by himself as such Vice President and by the said Donna J. O'Donnell attesting the same as such Assistant Secretary.

WITNESS my hand and seal at office, on this the 5th day of DECEMBER, 2000.

Delard D Barnes
Notary Public

My Commission Expires:
12-5-00

DELARD D. BARNES
COMM. # 1201083
NOTARY PUBLIC • CALIFORNIA
SAN DIEGO COUNTY
Comm. Expires Nov. 7, 2002

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is

$1,520,000

By: Thomas C. [signature]
Affiant

Subscribed and sworn to before
me this 4th day of January, 2000

PATTY J. WELCH
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Patty J. Welch
Notary Public

My Commission Expires SEPT. 29, 2001

EXHIBIT "A"

Legal Description

Being a parcel of land in Nashville, First Civil District, Fourteenth Councilmanic District, Davidson County, Tennessee, located generally on the southeast side of Lebanon Road between Jackson Downs Boulevard and the Stones River, and being Lot No. 11, as shown on the Plan, First Revision, Lots 7, 11 and 12, Jackson Downs Commercial, as of record in Plat Book 8250, Page 921, R.O.D.C. and being more particularly described as follows:

Commencing at a point in the southeasterly right-of-way line of U.S. Highway 70 (Lebanon Road) at the easterly terminus of a curve return to Jackson Downs Boulevard, said point also being the northwesterly corner of Lot No 3 of the First Revision, Section 3, Jackson Downs, as of record in Plat Book 8250, Page 296, R.O.D.C.

THENCE, with said right-of-way line of U.S. Highway 70 the following two calls:

N 44° 47' 00" E, 36.60 feet to a point;
N 45° 18' 00" E, 189.66 feet to the TRUE POINT OF BEGINNING;

THENCE, continuing with said right-of-way line, N 45°18' 00" E, 192.00 FEET to an iron pin found with cap B.W.S. & C. Nashville (to which all further reference for iron pin found shall refer).

THENCE, leaving said right-of-way line of Highway 70 along a curve return to the right 47.12 feet to an iron pin found, said curve having a central angle of 90° 00' 00", a tangent of 30.00 feet and a chord of S 89° 42' 00" E, 42.43 feet;

THENCE with a southerly property line of Lot 7, First Revision Lots 7, 11, and 12, Jackson Downs Commercial, as of record in Plat Book 8250, Page 921, R.O.D.C., S 44° 42' 00", 158.00 feet to an iron pin found;

THENCE, with a northwesterly line of Lot 7, S 45° 18' 00" W, 222.00 feet to a point in the northeasterly line of Lots 3 & 4, First Revision, Section 3, Jackson Downs, as of record in Plat Book 8250, Page 296, R.O.D.C.;

THENCE, with said northeasterly line, N 44° 42' 00" W, 188.0 feet to the point of beginning.

Containing 41,453 square feet or 0.95 acres, more or less.

Being the same property conveyed to Jack In The Box, Inc. by deed of record as Instrument No. 200007050066703, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"

JACK IN THE BOX EQUIPMENT AND TRADE FIXTURES LIST

Air Curtains
Awnings
Bike Racks
Brass Railings
Bulletin Boards
Cabinets
Calculators
Carpeting
Carts
Cash Registers (P.O.S.)
Ceiling Fans
Computer Systems and Equipment
Cooking Equipment
Cooking Timers
Coolers, including Walk-in Coolers
Counters
Dishwashers
Energy Mgmt. Systems & Equipment
Fire Suppression Systems and Equipment
Food and Beverage Dispensing and Serving Equipment
Food and Beverage Holding Equipment
Food and Beverage Making Equipment
Food and Beverage Warming Equipment
Food and Ingredient Containers
Food Warmers
Freezers, including Walk-in Freezers
Hoods
Ice Machines
Lighting Fixtures and Lamps - Interior
Lockers
Music Systems
Plants and Containers - Interior
P.O.S. Systems and Equipment
Product Displays
Racks and Holders
Refrigerators
Safes
Scales
Seating - Interior and Exterior - including Partitions
Shelving
Signs and Menu Boards, including but not limited to cabinets, sign faces, poles and other structures
Sinks
Speaker Systems
Tables
Timeclocks
Toasters
Training Equipment
Trash Containers and Receptacles
Vacuums
VCR Equipment
Video Disc Equipment
Wall Decor
Water Heaters
Window Coverings

Other Equipment, Fixtures and Property bearing Foodmaker's Trade Names and/or Trademarks.