Davidson County DEEDWARR
Recvd: 06/06/01 16:02 4pgs
Fees:19.00 Taxes:8282.45
20010606-0059480

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MTH

WARRANTY DEED

Address New Owner as Follows:

Kohl's Department Stores, Inc.
N56 W 17000 Ridgewood Drive
Menomonee Falls, WI 53051

Send Tax Bills To:

SAME

Map-Parcel No.

Map 85; Part of Parcels 55 and 91

This instrument prepared by: WALLER LANSDEN DORTCH & DAVIS, A Professional Limited Liability Company 511 Union Street, Suite 2100, Nashville, Tennessee 37219-1760

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)

The actual consideration for this transfer is $2,238,500.00

Affiant

APPROVED SJR APPROVED PEP

Subscribed and sworn to before me, this the 5th day of June, 2001.

HEIDI G. GUNYON NOTARY PUBLIC STATE OF WISCONSIN

Heidi G. Gunyon
NOTARY PUBLIC

My Commission Expires July 11, 2004.

FOR AND IN CONSIDERATION of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **JOHN J. KUCZMA, JR.** ("Grantor"), has bargained and sold, and by these presents, does hereby transfer and convey unto **KOHL'S DEPARTMENT STORES, INC., a Delaware corporation** ("Grantee"), its successors and assigns, all of Grantor's interest in and to the land located in Davidson County, Tennessee, being described in Exhibit A attached hereto ("Property").

TO HAVE AND TO HOLD the Property together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining to Grantee, the successors and assigns of Grantee, forever. Grantor further covenants and binds himself, his heirs, representatives and assigns to warrant and forever defend the title to the Property to Grantee, and the successors and assigns of Grantee, against the lawful claims of all persons whomsoever, other than claims arising out of the matters set forth on Exhibit B attached hereto.

IN WITNESS WHEREOF, Grantor has executed this instrument on the 6 day of June, 2001.

John J. Kuczma, Jr.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a notary public in and for said county state, John J. Kuczma, Jr., with whom I am personally acquainted, and who, upon oath, acknowledged that he executed the foregoing instrument for the purpose therein contained.

Witness my hand and seal, at office, this 6 day of June, 2001.

Kerry L. Henson
NOTARY PUBLIC

KERRY L. HENSON
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires: 3-23-02

673622.1

EXHIBIT A

Being Lot 2 as shown on the Plat of Jackson Downs – Phase Four of record as Instrument No. 20010606-0059240, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Being the same property conveyed to John J. Kuczma, Jr. by deed from Donelson Christian Academy, Inc. of record as Instrument No. 20010521-0052394, Register's Office for Davidson County, Tennessee, and a portion of the property conveyed to John J. Kuczma, Jr. by deed from Mathews Partners, Inc. of record in Book 9356, page 781, said Register's Office.

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EXHIBIT B

1. 2001 Metropolitan Government Taxes, a lien not yet due and payable.

2. Sanitary sewers and/or storm drainage easement of record in Book 4819, page 866, Register's Office for Davidson County, Tennessee.

3. Overhead line easement of record in Book 5848, page 105, said Register's Office.

4. Temporary easement for construction and maintenance of private water line of record in Book 10005, page 243, said Register's Office.

5. Sanitary sewers and/or storm drainage easement of record in Book 10005, page 246, said Register's Office.

6. Title to that portion of the land lying below the ordinary low water mark of the Stones River.

7. Easement for the flow of the waters of the Stones River and the rights of the public therein.

8. Rights of upper and lower riparian owners to the flow of the waters of the Stones River, free from diminution or pollution.

9. Changes in the boundary of the subject property resulting from erosion or accretion caused by the flow of Stones River.

10. All matters shown on the survey made by Barge Waggoner Sumner & Cannon, Inc., dated February 14, 2002, File No. 27225-02.

11. Matters shown on Plat of Jackson Downs – Phase Four of record as Instrument No. 20010606-0059340, said Register's Office.

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