Davidson County DEEDWARR
Recvd: 06/28/01 15:45 7pgs
Fees:31.00 Taxes:6012.50
20010628-0068738

SPECIAL WARRANTY DEED

From: Jack in the Box Eastern Division L.P.
Grantor

This Instrument was prepared by:
Jeanie Lopez, Title and Contract Administrator
Jack in the Box Eastern Division L.P.
9330 Balboa Avenue
San Diego, California 92123-1516

To: David T. Easley and Terri J. Easley, Trustees for the Coast Pointe Orthopaedic Medical Group, A.P.C., Profit Sharing Plan Under Agreement dated November 18, 1991 As amended by and between Coast Pointe Orthopaedic Medical Group, A.P.C., as Employer and David T. Easley and Terri J. Easley, asTrustees.

Address New Owner(s) as follows:
1370 Vista Sierra Drive,
El Cajon, CA 92019

Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes:

Jack in the Box Eastern Division L.P.
a Texas limited partnership
9330 Balboa Avenue
San Diego, CA 92123-1516
Attn: Property Tax

Map-Parcel Number
p/o 95-15-005
95-15-007

Field Book Numbers
3DZ-32885
3DZ-12060

THE STATE OF TENNESSEE

COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is One Million Six Hundred and Twenty-Five Thousand and No/100 Dollars ($1,625,000.00)

Robert H. Buchanan
Affiant

SUBSCRIBED AND SWORN TO before me, this the 28 day of June, 2001.

Deborah A. Hughes
Notary Public

My Commission Expires: 5/28/03

THAT Jack in the Box Eastern Division, L.P., a Texas limited partnership ("Grantor") for and in consideration of the sum of Ten and No/100 Dollars ($10.00) cash and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor, paid by David T. Easley and

Terri J. Easley, as Trustees for the Coast Pointe Orthopaedic Medical Group, A.P.C., Profit Sharing Plan under the Agreement dated November 18, 1991 as amended by and between Coast Pointe Orthopaedic Medical Group, A.P.C., as Employer and David T. Easley and Terri J. Easley, as Trustees. ("Grantee") whose address is 1370 Vista Sierra Drive, El Cajon, CA 92019 has GRANTED, BARGAINED, SOLD and CONVEYED and by these does GRANT, BARGAIN, SELL and CONVEY unto Grantee all that certain land situated in Davidson County, Tennessee, and described on Exhibit "A" which is attached hereto and incorporated herein by reference for all purposes, said land, improvements and appurtenances being herein together referred to as the "Property".

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.

This deed is executed by the Grantor and accepted by Grantee, subject to the permitted exceptions ("Permitted Exceptions") affecting the Property as referenced on Exhibit "C" attached hereto and incorporated, in on and under said Property.

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's heirs, legal representatives, successors and assigns to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's heirs, legal representatives, successors and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof, by though or under Grantor, but not further or otherwise.

EXECUTED this the 13th day of June, 2001.

GRANTOR:
Jack in the Box Eastern Division L.P.,
a Texas limited partnership

By: JBX General Partner LLC,
a Delaware limited liability
company, as general partner
By: _____
Its: Authorized Person

State of California)
)
County of San Diego)

On May 11, 2001, before me, Delard D. Barnes, Notary Public, personally appeared David M. Theno, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public



SEAL

OPTIONAL SECTION:

Capacity Claimed by Signer. Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

_____ Individual
____ Corporate Officer(s) Authorized Person
Title(s)
_____ Partner(s) _____ Limited __X__ General
_____ Trustee(s)
_____ Other

Signer is Representing: Jack in the Box Eastern Division L.P., a Texas limited partnership
By: JBX General Partner LLC, a Delaware limited company, as general partner
Name of Entity

Title or Type of Document: Special Warranty Deed, JIB 6911

Number of Pages: _____ Date of Document: _____

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Exhibit "A"

The land referred to in this commitment is situated in the State of Tennessee, County of Davidson and is more particularly described as follows:

Being a tract of land in the First Civil District, Nashville, Tennessee, located generally on the south side of Elm Hill Pike between McGavock Pike and Briley Parkway. Being Lot 1 on the Final Subdivision Plat entitled Jack-in-the-Box Elm Hill Pike at McGavock Pike as of record in Instrument No. 20010525-0054768, R.O.D.C., and being more particularly described as follows:

Beginning at an iron pin found with cap "Delle 1710" in the easterly line of the Metropolitan Government, Nashville Electric Power Board, as of record in Deed Book 2157, Page 251, R.O.D.C., said iron pin also being in the southerly right-of-way line of Elm Hill Pike and being located N 76° 55' 20" W, 376.91 feet from the centerline intersection of Elm Hill Pike and McGavock Pike;

THENCE, with the southerly right-of-way line of Elm Hill Pike along a curve to the right 33.12 feet to an iron pin found, said curve having a central angle of 01° 59' 13", a radius of 954.93 feet, a tangent of 16.56 feet and a chord of S 67° 59' 20" E, 33.12 feet;

THENCE, continuing with said right-of-way line, S 66° 59' 44" E, 197.45 feet to an iron pin found;

THENCE, with said right-of-way line, S 42° 23' 14" E, 94.47 feet to an iron pin found in the westerly right-of-way line of McGavock Pike;

THENCE, with said westerly right-of-way line of McGavock Pike, S 29° 58' 46" W, passing a witness iron pin found at 115.21 feet, in all 154.82 feet;

THENCE, continuing with said right-of-way line S 29° 41' 28" W, 20.06 feet to an iron pin found with cap 1486;

THENCE, along a curve to the right 35.91 feet to an iron pin found in the northerly right-of-way line of Old Elm Hill Pike, said curve having a central angle of 82° 18' 02" a radius of 25.00 feet, a tangent of 21.85 feet and a chord of S 70° 50' 35" W, 32.90 feet;

THENCE, with the northerly right-of-way line of Old Elm Hill Pike, N 68° 00' 24" W, 64.54 feet to an iron pin found;

THENCE, continuing with said right-of-way line along a curve to the left 149.47 feet to an iron pin found, said curve having a central angle of 11° 46' 02", a radius of 727.80 feet, a tangent of 75.00 feet and a chord of N 73° 53' 25" W, 149.21 feet;

THENCE, continuing with said right-of-way line, N 79° 46' 26" W, 16.21 feet to a 5/8" rebar set with cap MES 1649;

THENCE, leaving said right-of-way line of Old Elm Hill Pike with the northerly property line of Lot 2 of the above referenced plat the following three calls:

N 10° 13' 35" E, 10.26 feet to the centerline of Sims Branch;
N 48° 56' 37" W, 150.98 feet with the centerline of Sims Branch;
N 22° 53' 51" W, 46.08 feet to a southeast corner of Bobby Howard and Rebecca Howard, as of record in Instrument #200008020076458, R.O.D.C.

THENCE, with the southerly line of said Howard, N 73° 34' 47" E 142.82 feet to an iron pin found;

THENCE, with the easterly line of Howard, N 10° 45' 26" W, 20.19 feet to an iron pin found with cap "Delle 1710", said iron pin being the southwest corner of Metropolitan Government, Nashville Electric Power Board, as of record in Deed Book 2157, page 251, R.O.D.C.;

THENCE, with the southerly line of said Nashville Electric Power Board, N 79° 14' 34" E, 65.00 feet to an iron pin found;

THENCE, with the easterly line of said Nashville Electric Power Board, N 11° 06' 59" W, 29.74 feet to the point of beginning.

Containing 85,661 square feet or 1.97 acres, more or less.

According to a final subdivision plat entitled Jack-in-the-Box, Elm Hill Pike at McGavock Pike, prepared by Sawyer Land Surveying, Mark E. Sawyer, R.L.S., Tennessee License 1649, dated October 27, 2000, File 00-097.

Being a portion of the same property conveyed to Jack in the Box Eastern Division L.P. by Instrument #20001229-0127167, R.O.D.C.

EXHIBIT "B"

JACK IN THE BOX EASTERN DIVISION L.P
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, Poles and Lamps - Exterior
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 Jack in the Box's Trade Names and/ or Trademarks.

Exhibit "C"

1. Electric Power Board Easement of record in Book 2157, page 251, said Register's Office.

2. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record in Book 4260, page 16, as amended by Exception to Easement filed for record as Instrument No. 20010423-0039973, said Register's Office.

3. Easement for the flow of Sim's Branch.

4. Subject to all matters shown on the plan of record as Instrument No. 20010525-0054 768, in said Register's Office.

5. Matters shown on the survey of Sawyer's Land Surveying, Mark E. Sawyer, TRLS# 1649, dated May 21, 2001.