40-A

THIS INSTRUMENT PREPARED BY:
GIBSON & GREGORY
Suite 1900, 201 Fourth Avenue North
Nashville, Tennessee 37219

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $2,700,000.00.

Elaine Phelps
Affiant

Davidson County DEEDWARR
Recvd: 11/16/01 12:27 4pgs
Fees:23.00 Taxes:9990.00
20011116-0125839

Subscribed and sworn to before me this 15 day of November, 2001.

Notary Public

My Commission Expires: 7/26/03

SPECIAL WARRANTY DEED

ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP/PARCEL NOS.
Brazos Sports Retail, L.P. 1800 North Mason Road Katy, TX 77449	New Owner	Map 26-0 Parcels 56 & 57.01

YANIQUE DISKIN, AN UNMARRIED PERSON, hereinafter "GRANTOR", for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid by the herein named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does hereby transfer and convey unto BRAZOS SPORTS RETAIL, L.P., A DELAWARE LIMITED PARTNERSHIP, hereinafter "GRANTEE", its successors, representatives and assigns forever, that certain tract or parcel of land located in Davidson County, Tennessee, as described in Exhibit "A" attached hereto and incorporated herein by reference.

This is UINIMPROVED property known as Map 26-0, Parcel 56; and Map 26-0, Parcel 57.01, Madison, TN 37115.

This conveyance is made and accepted subject to the limitations, restrictions and easements and other matters described in Exhibit "B" attached hereto and incorporated herein by reference, to the extent they are validly existing and affect the property.

To have and to hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors, representatives and assigns forever.

And GRANTOR does covenant with the said GRANTEE that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it and warrants that the same is unencumbered, except as set forth above.

GRANTOR does further covenant and bind itself, its successors and assigns to warrant and forever defend the title to the said land to the said GRANTEE, its successors, representatives and assigns, against the lawful claims by and through the GRANTOR, but not further.

WITNESS my hand this 15 day of November, 2001.

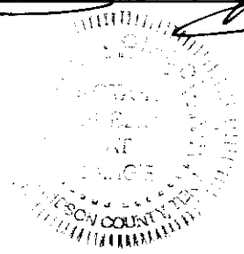
Yanique Diskin

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned Notary Public in and for said County and State, the within named Yanique Diskin, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument for the purposes therein contained. Witness my hand and official seal this 15 day of November, 2001.

Notary Public

My Commission Expires: 7/26/03



My Commission Expires July 26, 2003

EXHIBIT A

TRACT ONE

Being a tract of land lying in the Tenth Councilmanic Distict, City of Nashville, Davidson County, Tennessee. Said tract being bounded on the north by Vietnam Veterans Parkway, on the east by Thomas Francis Diskin, Et Ux, on the south by Gallatin Pike and on the west by Tom Bannen Chevrolet, Inc. and Betty Yow Hooper, Trustee and being more particularly described as follows:

Beginning at an iron pipe old in the northerly right-of-way of Gallatin Pike, said pipe being the southeast corner of property conveyed to Tom Bannen Chevrolet, Inc. of record in Deed Book 7162, Page 746, Register's Office for Davidson County, Tennessee (R.O.D.C.); thence,

With the easterly line of said Tom Bannen Chevrolet property N 18°46'14" W, 790.32 feet to an iron rod old; thence,

With the northerly line of Tom Bannen Chevrolet S 72°50'17" W, 509.03 feet to an iron rod old, said iron rod lying in the easterly line of property conveyed to Betty Yow Hooper, Trustee of the Yow Family, of record in Deed Book 10240, Page 746, R.O.D.C.; thence,

With said easterly line of Betty Yow Hooper N 18°05'11" W, 173.75 feet to a concrete highway monument old, said monument located in the southerly right-of-way line of Vietnam Veterans Parkway and being the northwest corner of the herein described tract; thence,

Leaving Hooper property with said right-of-way line and generally along a controlled access fence N 75°03'09 E, 815.87 feet to an iron rod old, said rod being the northwest corner of property conveyed to Thomas Francis Diskin, Et Ux of record in Deed Book 5072, Page 425, R.O.D.C. and being the northeast corner of the herein described tract; thence,

Leaving said right-of-way with Diskin's west line S 18°16'48" E, 944.67 feet to an iron rod old, said iron rod lying in the northerly right-of-way line of Gallatin Pike; thence,

With said right-of-way line S 75°10'55" W, 299.93 feet to the Point of Beginning, containing 369,808 square feet or 8.490 acres, more or less.

TRACT TWO

Being a tract of land lying in the Tenth Councilmanic Distict, City of Nashville, Davidson County, Tennessee. Said tract being bounded on the north by Vietnam Veterans Parkway, on the east by Shurgard-Freeman, on the south by Gallatin Pike and on the west by Thomas Francis Diskin, Et Ux and being more particularly described as follows:

Beginning at an iron rod new in the northerly right-of-way line of Gallatin Pike, said rod being the southwest corner of property conveyed to Shurgard-Freeman Franklin Joint Venture, a Tennessee Joint Venture of record in Deed Book 9985, Page 379, Register's Office for Davidson County, Tennessee (R.O.D.C.); thence,

With said right-of-way line S 84°54'58" W, 26.40 feet to a concrete monument old; thence,

Continuing with said right-of-way line S 79°51'04" W, 179.00 feet to an iron rod old, said iron rod being the southeast corner of property conveyed to Thomas Francis Diskin, Et Ux of record in Deed Book 5241, Page 1, R.O.D.C., said iron rod also being the southwest corner of the herein described tract; thence,

With said easterly line of Thomas Francis Diskin, Et Ux N 18°16'48" W, 944.67 feet to an iron rod old, said iron rod lying in the southerly right-of-way line of Vietnam Veterans Parkway and being the northwest corner of the herein described tract; thence,

Leaving Diskin property with said right-of-way line and generally along a controlled access fence N 75°03'09 E, 53.72 feet to a concrete highway monument old lying in the southerly right-of-way line of Vietnam Veterans Parkway; thence,

Continuing with said right-of-way and leaving the above mentioned controlled access fence with a curve to the right having a central angle of 02°30'02", a radius of 5629.58 feet, a tangent of 122.87 feet, a length of 245.70 feet and a chord bearing and distance of N 80°42'44" E, 245.68 feet to an iron rod old, said iron rod being the northwest corner of said Shurgard-Freeman property and the northeast corner of the herein described tract; thence,

With the westerly line of said Shurgard-Freeman property S 12°34'26" E, 939.13 feet to the Point of Beginning, containing 236,873 square feet or 5.438 acres, more or less.

BEING PART OF THE SAME PROPERTY CONVEYED TO THOMAS FRANCIS DISKIN AND WIFE, YANIQUE DISKIN, BY DEED FROM JOE H. CORLEY AND WIFE, PATTY J. CORLEY OF RECORD IN BOOK 5241, PAGE 1, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, AND BY DEED FROM WILLIAM G. WRIGHT, JR. AND WIFE, BETTY T. WRIGHT OF RECORD IN BOOK 5072, PAGE 425, REGISTER'S OFFICE FOR DAVIDSON COUNTY,TENNESSEE. THE SAID THOMAS FRANCIS DISKIN HAVING SINCE DIED.

EXHIBIT B

1. Sanitary Sewers and/or Storm Drainage Easement of record in Book 11030, page 737, and Book 11030, page 781, said Register's Office.

2. 20' sanitary sewer easement (book 11030, page 781, and Book 11030, page 737) with 8" sewer line, encroachment of fence line, encroachment of guy wires, as shown on a survey of said land prepared by Ragan-Smith Associates, dated September 14, 2000.

3. Storm Water Detention Agreement of record as Instrument No. 20010501-0043572, said Register's Office.

4. The plat of record as Instrument No. 20101703-0070466, including the following matters: (a) access easement; (b) slope easement; (c) public utility and drainage easement; (d) access and public utility and drainage easement; and (e) drainage easements.