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

Please return to:
John A. Attaway, Jr.
Publix Super Markets, Inc.
P.O. Box 32018
Lakeland, FL 33802

Albertson's # 4731
7604 Hwy. 70 South
Nashville, Tennessee

Davidson County DEEDWARR
Recvd: 08/15/02 09:10 4pgs
Fees:23.00 Taxes:9250.00
20020815-0098767

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this 13th day of August 2002, by and between **Albertson's, Inc.**, a Delaware corporation, of the County of Ada and the State of Idaho (**"Grantor"**) and **Publix Tennessee, LLC**, a Florida limited liability company, of the County of Polk and the State of Florida (**"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 anywise 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 Grantor 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:

Irina Wiese

Printed Name: IRINA WIESE

Ruth Thayer

Printed Name: RUTH THAYER

GRANTOR:

ALBERTSON'S, INC., a Delaware corporation

By: William H. Arnold
Group Vice President, Real Estate Law

STATE OF IDAHO
COUNTY OF ADA

Before me, a Notary Public in and for said State and County, personally appeared **William H. Arnold** as **Group Vice President, Real Estate Law** of **Albertson's, Inc.**, a Delaware corporation, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person) and who, upon oath, acknowledged himself to be the Group Vice President, Real Estate Law of Albertson's, Inc., the within named bargainor, a Delaware corporation, and that he as such Group Vice President, Real Estate Law, executed the foregoing instrument for the purposes therein contained by subscribing the name of the corporation, by himself as Group Vice President.

Witness my hand and seal at office in _____ this 7th day of August, 2002.

TRINA WIESE NOTARY PUBLIC STATE OF IDAHO

Trina Wiese
Notary Public
My commission expires: January 28, 2004.

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 Two Million Five Hundred Thousand and No/100 Dollars ($2,500,000.00) which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this 14th day of August, 2002.

Notary Public
My commission expires: JENNIFER CHANDLER NOTARY PUBLIC AT LARGE 2003 DAVIDSON COUNTY, TN

Property Address: 7064 Hwy. 70 South
Nashville, Tennessee

Address of Owner and Mail tax bills to:

John A. Attaway, Jr.
General Counsel and Secretary
Publix Tennessee, LLC
P.O. Box 32018
Lakeland, FL 33802

Tax I.D. No. 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 Albertson's, Inc., a Delaware corporation, by deed from New York Life Insurance Company, a New York Mutual Insurance Company, of record in Book 11491, Page 602, Register's Office of Davidson County, Tennessee.

Together with:

(1) 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, Register's Office of Davidson County, Tennessee.

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

EXHIBIT "B" TO SPECIAL WARRANTY DEED

TITLE EXCEPTIONS

1. All easements, setback lines and other matters appearing on the First Revision of the Resubdivision of Lots 3, 4, 5, 6, 7 and 8 of Bellevue Center, recorded in Plat Book 7900, Pages 473 and 474, Register's Office of Davidson County, Tennessee.

2. Notice of Setback, recorded in Book 10438, Page 516, Register's Office of Davidson County, Tennessee.

3. All terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Construction, Operation and Reciprocal Easement Agreement, recorded in Book 7762, Page 492, Register's Office of Davidson County, Tennessee.

4. Taxes and assessments for the year 2002 and subsequent years, which are not yet due and payable.