Davidson County DEEDWARR
Recvd: 10/16/02 15:10 4pgs
Fees:23.00 Taxes:8853.17

20021016-0127360

PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

RETURN TO:
COMMONWEALTH TITLE AGENCY
333 GALLATIN RD. SOUTH
MADISON, TN 37115

WARRANTY DEED

THIS INDENTURE is made and entered into this 4th day of October 2002 by and between HARDING UNIVERSITY, INC., AN ARKANSAS CORPORATION , hereinafter called Grantor, and WAL-MART STORES EAST, L.P., A DELAWARE LIMITED PARTNERSHIP, hereinafter called Grantee.

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, HARDING UNIVERSITY, INC., AN ARKANSAS CORPORATION, hereinafter referred to as Grantor, does hereby bargain, sell, transfer and convey unto WAL-MART STORES EAST, L.P., A DELAWARE LIMITED PARTNERSHIP, hereinafter referred to as Grantee, its successors and assigns, certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantor in and to any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is unimproved property known as 38.507 ACRES, MURFREESBORO PIKE, ANTIOCH, TN.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, its successors and assigns forever. The Grantor does covenant and agree with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

WITNESS the hand and seal of the duly authorized officer of Grantor on the day and year first above written.

HARDING UNIVERSITY, INC.,
an Arkansas corporation

by: David B. Burks
DAVID B. BURKS
Signature of Seller

SHERRIE McALEESE, NOTARY PUBLIC
WHITE COUNTY, ARKANSAS
MY COMMISSION EXPIRES, 8/4/07
DATE 10/4/02

CORPORATION
STATE OF Arkansas)
COUNTY OF White)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, **DAVID B. BURKS**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be **PRESIDENT of HARDING UNIVERSITY, INC., AN ARKANSAS CORPORATION, the within named bargainor, an Arkansas corporation, and that he as such PRESIDENT**, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as **PRESIDENT**.

Witness my hand, at office, in (Searcy Arkansas), (White) County, (October), this 4, day of October, 2002.

Notary Public

My Commission Expires: 8/4/07

Name and Address of Property Owner:

WAL-MART STORES EAST, L.P.
2001 SE 10TH STREET
BENTONVILLE, AR 72716

Property Address:

38.507 ACRES, MURFREESBORO PIKE
ANTIOCH, TN

Person Responsible for Taxes:

Wal-Mart Stores, Inc. (Store No. _____)
Property Tax Department - #8013
Mail Stop No. 0555
1301 S.E. 10th Street
Bentonville, AR 72716-0555

Map & Parcel #: MAP 150, P/O PARCEL 252

AFFIDAVIT OF VALUE

STATE OF Tennessee:
COUNTY OF Davidson:

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **2392747.47** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Linda Watson
Affiant

Sworn to and subscribed before me, a Notary Public, this **11th** day of **October, 2002.**

Notary Public

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 5/30/2004

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

EXHIBIT 'A'

Being a tract of land lying in Antioch, Davidson County, Tennessee, and being more particularly described as per that certain survey by Cherry Land Surveying, Inc., R. Scot Cherry, TN R.L.S. No. 1512, dated February 5, 2002, as follows:

BEGINNING at an existing iron rod in the southwesterly right-of-way line of Murfreesboro Pike, 94 feet in width, at a corner common with the property of Hoover, Inc., as of record in Deed Book 6654, Page 902, at the Register's Office for Davidson County, Tennessee, said existing iron rod being located South 41 Deg. 17 Min. 11 Sec. East, 1126.48 feet from the intersection of the return of the Northeasterly right-of-way of Hamilton Church Road, width varies, and the Southwesterly right-of-way line of Murfreesboro Pike, said existing iron rod also being located at Northing: 629,900.71; Easting: 1,783,531.59; on the State Plane Coordinate System NAD-83 (1995);

Thence leaving the Southwesterly right-of-way line of Murfreesboro Pike, with the Westerly property line of Hoover, Inc., South 44 Deg. 09 Min. 08 Sec. West, 1600.82 feet to an iron rod set;

Thence with a severance line through the property of Harding University, Inc., et al, as of record in Deed Book 7976, Page 579, at the Register's Office for Davidson County, Tennessee, North 48 Deg. 52 Min. 50 Sec. West, 1110.05 feet, to an iron rod set in the Northeasterly right-of-way line of Hamilton Church Road, width varies;

Thence with the Northeasterly right-of-way line of Hamilton Church Road, North 43 Deg. 01 Min. 43 Sec. East, 290.48 feet to an iron rod set;

Thence North 41 Deg. 07 Min. 10 Sec. East, 561.63 feet to an iron rod set;

Thence with a curve to the right, along an arc length of 314.98 feet, the central angle of which is 02 Deg. 08 Min. 15 Sec, the radius of which is 8443.08 feet, the chord of which is North 42 Deg. 11 Min. 17 Sec. East, 314.96 feet to an iron rod set;

Thence with a curve to the left, along an arc length of 289.61 feet the central angle of which is 01 Deg. 55 Min. 43 Sec., the radius of which is 8603.87 feet, the chord of which is North 42 Deg. 17 Min. 33 Sec. East, 289.60 feet to an iron rod set at corner common with Lot 1 of the Hamilton Acres, Lots 1 and 2 First Revision, as of record in Plat Book 11190, Page 130, at the Register's Office for Davidson County, Tennessee, also being the property of Scott C. Butler, et ux, as of record in Instrument Number: 20011200127045 at the Register's Office for Davidson County, Tennessee;

Thence leaving the Northeasterly Right-of-way line of Hamilton Church Road, with the Southerly property line of lot 1, South 41 Deg. 10 Min. 40 Sec. East, 800.04 feet to an existing iron rod, at a corner common with Lot 3 of the Hamilton acres, as of record in Plat Book 8250, Page 963, at the Register's Office for Davidson County, Tennessee, also being the property of Michael R. Lance, et al, as of record in Deed Book 10826, Page 769, at the Register's Office for Davidson County, Tennessee;

Thence with the Easterly property line of said Lot 3, North 41 Deg. 13 Min. 05 Sec East, 300.07 feet to an existing iron rod, in the Southwesterly right-of-way line of said Murfreesboro Pike;

Thence with the southwesterly right-of-way line of Murfreesboro Pike, South 41 Deg. 17 Min. 11 Sec. East, 383.28 feet to the point of beginning, containing 1,677,372 square feet or 38.507 acres more or less.

Being a portion of the same property conveyed to HARDING UNIVERSITY, INC., A 91.75% interest and Group 4/Construction Project Services, Inc., an 8.25% interest, as Tenants in common, by Trustees Deed from Tom G. Coleman, Jr., of record in Book 7656, page 738. Group 4/Construction Project Services, Inc.'s 8.25% interest was subsequently conveyed to Harding University, Inc., by Deed of record in Book 7976, page 579, Register's Office for Davidson County, Tennessee.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2003 and subsequent years, A LIEN, not yet due and payable (MAP 150, P/O PARCEL 252).

2. 20-foot drainage easement (10-feet X 300-feet on the herein property) as stated on that certain Plan of record in Plat Book 11190, page 130, said Register's Office.

3. Grant of Anchor Easement to Electric Power Board, dated January 15, 1997, of record in Book 10319, Page 987, said Register's Office.

4. Those certain matters as stated on the survey of Cherry Land Surveying, Inc., R. Scot Cherry, TN R.L.S. No. 1512, dated February 5, 2002, as follows:

(a) Pond and sinkholes located within the property boundary lines;
(b) Actual anchors are located outside of anchor easement stated in item 4 above;
(c) Overhead line in the northwest corner of said property;
(d) Two (2) guy wires not located in anchor easement in item 4 above crossing Murfreesboro Pike onto the easterly portion of subject property;
(e) Guy wire not located in anchor easement in item 4 above Hoover property onto southerly portion of subject property; and
(f) 24-inch RCP along westerly lot line on Hamilton Church Road.