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Box [redacted] 3rd LT

Davidson County DEEDQC
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Fees:27.00 Taxes:0.00

20040622-0074128

This instrument prepared by
Or under the direction of:
Jennifer R. Van Ness, Esq.
Sutherland Asbill & Brennan LLP
999 Peachtree Street, N.E.
Atlanta, Georgia 30309-3996

Tax Map & Parcel 118-11/179

THIS CONFIRMATORY QUITCLAIM DEED, made this 17th day of March, 2004 between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 301 West Bay Street, Suite 800, Jacksonville, Florida 32202, hereinafter called "Grantor", and HOME DEPOT U.S.A., INC., a Delaware corporation, whose mailing address is 2455 Paces Ferry Road, Atlanta, Georgia 30339, hereinafter called "Grantee";

WITNESSETH:

WHEREAS, by deed dated June 1, 1995, Grantor conveyed to The Sunday School Board of the Southern Baptist Convention 0.7 of an acre of land in Nashville, Davidson County, Tennessee, hereinafter "the Premises", recorded in the Register's Office of Davidson County in Book 9753, Page 837;

WHEREAS, the Sunday School Board of the Southern Baptist Convention conveyed the Premises to Thompson-Powell Venture, LLC by deed recorded in the Register's Office of Davidson County in Book 9759, Page 20;

WHEREAS, by Deed of Trust (the "Deed of Trust") dated August 22, 1995, Thompson-Powell Venture, LLC conveyed the Premises to Darlene T. Marsh, Trustee, such Deed of Trust being recorded in the Register's Office of Davidson County in Book 9770, Page 142;

WHEREAS, a Successor Trustee was appointed by the lawful owner and holder of the indebtedness secured by the Deed of Trust, such Appointment of Successor Trustee being recorded in the Register's Office of Davidson County in Book 10466, Page 769;

WHEREAS, the indebtedness secured by the Deed of Trust having become overdue and unpaid and the lawful holder and owner of said debt having called upon the Successor Trustee to foreclose the Deed of Trust, the Successor Trustee, William L. Norton, III, conveyed the Premises by Successor Trustee's Deed to Henry R. Hillenmeyer and Robert K. Zelle, such Successor Trustee's Deed being recorded in the Register's Office for Davidson County, Tennessee in Book 9759, Page 20;

T.A.I.

WHEREAS, by deed dated August 14, 2001, Henry R. Hillenmeyer and Robert K. Zelle conveyed the Premises to Grantee, such deed being recorded in the Register's Office of Davidson County as Instrument No. 20010816-0088644;

WHEREAS, subsequent to recordation of the deed from Henry R. Hillenmeyer and Robert K. Zelle to Grantee, Public Chapter 66 of the 2003 Session of the General Assembly of the State of Tennessee granted and confirmed the right and ability of Grantor to transfer its title to the Premises; and

WHEREAS, Grantee desires and Grantor agrees to reconvey and reconfirm the transfer and release of the Premises to Grantee, as successor-in-title to The Sunday School Board of the Southern Baptist Convention.

NOW, THEREFORE, Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 DOLLARS ($10.00), to it in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby RELEASE, REMISE and forever QUITCLAIM unto Grantee, their heirs, legal representatives and assigns, all right, title and interest of Grantor, if any, in and to that certain tract or parcel of land situate, lying and being in Nashville, County of Davidson, State of Tennessee, hereinafter redesignated "the Premises" and more particularly described in Exhibit A, attached hereto and incorporated herein.

~~TO HAVE AND TO HOLD the Premises, and all the estate, right, title, lien, interest and claim whatsoever of Grantor therein, either in law or equity, and all improvements thereon and appurtenances thereto, unto the proper use, benefit and enjoyment of Grantee, Grantee's heirs and assigns or successors and assigns, forever.~~

Grantee accepts the Premises in "as is" condition as of the date of this conveyance.

Grantor, by its undersigned officer, hereby certifies that the full value of all land or property conveyed hereby, or the actual consideration for the release of all property rights quitclaimed hereby, is $2,000.00, including any property exchanged and any financing.

[*signatures commence on following page*]

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., pursuant to due corporate authority, has caused its name to be signed hereto by its officer hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.

Signed, sealed and delivered
in the presence of:

Betty D. Jones
Betty D. Jones

Gennell E. Peterson
Gennell E. Peterson

CSX TRANSPORTATION, INC.

By: S A Crosby
Stephen A. Crosby

Attest: Donna W. Melton
Donna W. Melton

CSX TRANSPORTATION, INC. INCORPORATED 1944

STATE OF FLORIDA )
COUNTY OF DUVAL )

Personally appeared before me, Gennell E. Peterson the undersigned, a Notary Public in and for said County and State, the within named Stephen A. Crosby President, CSX Real Property, of CSX Transportation, Inc., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and seal at office in Jacksonville, Florida, on this the 17th day of March, 2004.

Gennell E. Peterson
Notary Public

My Commission Expires:
June 12, 2005

Gennell E Peterson
My Commission DD033318
Expires June 12, 2005

STATE OF Georgia
COUNTY OF Cobb

AFFIDAVIT OF VALUE

The actual consideration or value, whichever is greater, for this transfer is $2,000.00, the tax on which amount was previously paid in connection with recordation of a certain Special Warranty Deed dated August 14, 2001 and recorded in the Register's Office of Davidson County as Instrument No. 20010816-0088644.

Affiant:

JVJ

Name:
On Behalf of Home Depot
U.S.A., Inc.

Jeff Israel
Director - Legal

Sworn to and subscribed
before me this 23 day
of April, 2004.

Notary Public

My Commission Expires:

[NOTARIAL SEAL]

DEBORAH L. STRAW NOTARY PUBLIC COBB COUNTY EXPIRES GEORGIA NOVEMBER 20, 2007

**EXHIBIT A**

That certain property situated in Nashville, Davidson County, Tennessee, more particularly described as:

BEGINNING at the intersection of the south line of Thompson Lane and CSX Transportation, Inc.'s east line, one hundred feet (100') east of the centerline of CSX Transportation, Inc.'s easterly mainline railroad track;

THENCE, in a southerly direction with CSX Transportation, Inc.'s east line a distance of six hundred five feet (605'), more or less;

THENCE, turning ninety degrees (90°) to the right and running a distance of fifty feet (50'), more or less, to a point fifty feet (50') from CSX Transportation, Inc.'s nearest mainline railroad track;

THENCE, running in a northerly direction fifty feet (50') from said mainline track a distance of five hundred ninety feet (590'), more or less, to a point in the south line of Thompson Lane;

THENCE, running in an easterly direction with the south line of Thompson Lane a distance of fifty feet (50'), more or less, to the POINT OF BEGINNING; containing seven tenths (0.7) of an acre, more or less, and being as shown crosshatched on fragment print of CSX Transportation, Inc.'s Valuation Section V14 Map 1.

The same being a parcel of property formerly occupied and used by Louisville and Nashville Railroad Company, a predecessor of CSX Transportation, Inc.

Property Address:
2421 Powell Avenue
Nashville TN

Address of New Owner &
Send Tax Bill to:
Home Depot U.S.A., Inc.
2455 Pacer Ferry Road
Atlanta GA 30339