This Instrument Was Prepared By:

Heileen S. Bell, Esq.
Burger King Corporation
P.O. Box 020783 GMF
Miami, Florida 33102-0783

Davidson County DEEDWARR
Recvd: 06/29/04 11:38 4pgs
Fees:23.00 Taxes:1572.50
20040629-0077005

ACCURATE TITLE & ESCROW, INC.
181 E. MAIN ST., STE. 2
HENDERSONVILLE, TN 37075
(615)822-0997

Map 106-1, Parcel 160

The value for Tennessee recording Tax purposes is $425,000.00

Notary Public, State of Florida

NOTARY PUBLIC STATE OF FLORIDA
OFFICIAL NOTARY SEAL
SUSAN M GARCIA
COMMISSION NUMBER
DD019169
MY COMMISSION EXPIRES
APR. 19,2005

New Owner:
Terry Clyne
1234 Fesslers Ln
Nashville, TN 37210
Send tax bills to
new owner.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made the 16 day of June, 2004, by **BURGER KING CORPORATION,** a Florida corporation, having an address at 5505 Blue Lagoon Drive, Miami, Florida 33126 (the "Grantor"), to **TERRY CLYNE**, having an address 1234 Fesslers Lane, Nashville, Tennessee (the "Grantee"). (Wherever used herein, the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successor and assigns of corporations.)

WITNESSETH:

That the Grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS ($10.00)** and other good and valuable consideration paid to Grantor by Grantee, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, that certain property situated in the City of Nashville, County of Davidson, State of Tennessee, as more particularly described on Exhibit "A", attached hereto and made a part hereof (the "Property").

This conveyance is made subject to: Taxes not yet due and payable, all restrictions, conditions, reservations, limitations of record, and easements of record and in place, if any, current zoning, and any condition which a physical inspection of the premises and an accurate and complete survey would disclose, but this reference shall not operate to reimpose same.

TOGETHER with all the tenements, hereditament and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

GRANTOR HEREBY specially warrants the title to the Property subject to the foregoing matters and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed in its name, and its corporate seal to be affixed hereto, by its property officers thereunto duly authorized, on the day and year first above written.

Signed, sealed and delivered in the presence of:

WITNESS TO ALL:

Print Name: Ana M Gutierrez

Print Name: Linda D Dallas

GRANTOR:

BURGER KING CORPORATION

BY: _____
Tony Moralejo, Associate General Counsel

ATTEST: _____
Heileen S. Bell, Assistant Secretary

(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Tnoy Moralejo and Heileen S. Bell, whose names as Associate General Counsel and as Assistant Secretary, respectively, of Burger King Corporation, a Florida corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation, acting in their capacity as aforesaid.

Given under my hand and official seal this 15 day of June, 2004.

My Commission Expires:

_____
Notary Public State of Florida at Large
Print Name:

(SEAL)

NOTARY PUBLIC STATE OF FLORIDA
OFFICIAL NOTARY SEAL
SUSAN M GARCIA
COMMISSION NUMBER
DD019169
MY COMMISSION EXPIRES
APR. 19,2005

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EXHIBIT "A"

A parcel of land in the First Civil District of Metropolitan Nashville - Davidson County, Tennessee, and being all of Lot 1 shown on the plat entitled "Re-subdivision of Lots 1 and 2 NOEL INVESTMENTS, L.P. SUBDIVISION" of record in Book 6900, page 844, Register's Office for Davidson County, Tennessee and being more fully described as follows:

BEGINNING at a lead in drilled hole on the northerly right of way line of Murfreesboro Pike, U.S. 41-70S, said point being at the westerly end of the northwesterly return curve at Murfreesboro Pike and Fesslers Lane; thence,

1. with the northerly right of way line of Murfreesboro Pike, U.S. 41-70S, N 70 degrees 00 minutes 01 seconds W, 233.37 feet to an iron pin set at the southwesterly corner of Lot No. 1 of Noel Investments, Ltd. Subdivision and also being the southeasterly corner of Shomabhai B. Patel, et al as of record in Book 6560, page 203, Register's Office for Davidson County, Tennessee; thence,

2. with the common line of said Lot No. 1 and Patel, N 5 degrees 48 minutes 38 seconds E, 159.77 feet to an iron pin set; thence,

3. with a line being the north boundary of Lot No. 1 and the south boundary of Lot No. 2, S 81 degrees 55 minutes 51 seconds E, 190.85 feet to a PK nail set in asphalt; thence,

4. S 8 degrees 04 minutes 09 seconds W, 10.00 feet to a PK nail set in asphalt; thence,

5. S 81 degrees 55 minutes 51 seconds E, 86.00 feet to an iron pin set on the westerly right of way line of Fesslers Lane; thence,

6. with the westerly right of way line of Fesslers Lane, S 8 degrees 04 minutes 09 seconds W, 163.64 feet to a lead in drilled hole at the beginning of a curve; thence,

7. with said curve to the right (radius 35.00 feet) southwesterly a distance of 62.25 feet to the point of beginning and having a chord bearing and distance of S 59 degrees 01 minutes 42 seconds W, 54.37 feet.

Being a part of the property vested in Noel Investments, Ltd. by Quitclaim Deed from John H. Noel of record in Book 5933, page 590 and be deed from Lee F. Noel, Lee F. Noel Trust, John H. Noel, III, John H. Noel, III Trust, Arthur B. Noel and Arthur B. Noel Trust of record in Book 5933, page 592, Register's Office for Davidson County, Tennessee.

Grantor reserves unto itself, its successors and assigns, a non-exclusive perpetual easement on, over and across a portion of said Lot No. 1 for purposes of ingress and egress to and from Lot No. 2 of Noel Investments, Ltd. Subdivision and Murfreesboro Pike. The portion of the land subject to said non-exclusive perpetual easement of ingress and egress is more particularly defined in the Cross Easement and Restrictive Covenant

EXHIBIT "A"

Agreement) hereinafter called the "Cross Easement Agreement") executed simultaneously with this Deed, and described as follows:

A parcel of land in the First Civil District of Metropolitan Nashville and Davidson County, Tennessee and being part of Lot No. 1 shown on the plat entitled "Resubdivision of Lots 1 and 2, Noel Investments, Ltd. Subdivision" of record in Book 6900, page 844, Register's Office for Davidson County, Tennessee and being more fully described as follows:

BEGINNING at an iron pin set in the northerly right of way line of Murfreesboro Pike, U.S. 41-70S at the southwesterly corner of Lot No. 1 on the above noted plan of Noel Investments, Ltd. Subdivision, said pin also being the southeasterly corner of Shomabhai B. Patel, et al as of record in Book 6560, page 203, Register's Office for Davidson County, Tennessee; thence,

1. with the common line of said Lot No. 1 and Patel, N 5 degrees 48 minutes 38 seconds E, 159.77 feet to an iron pin set; thence,

2. with a line being the north boundary of Lot No. 1 andthe south boundary of Lot No. 2, S 81 degrees 55 minutes 51 seconds E, 40.85 feet to an iron pin; thence,

3. S 3 degrees 07 minutes 14 seconds, 170.69 feet to a lead in drilled hole on the northerly right of way line of Murfreesboro Pike; thence,

4. with the northerly right of way line of Murfreesboro Pike, N 70 degrees 00 minutes 01 second W, 50.37 feet to the point of beginning.

Being property vested in Noel Investements, Ltd. by Quitclaim Deed from John H. Noel of record in Book 5933, page 590 and by deed from Lee F. Noel, Lee F. Noel Trust, John H. Noel, III, John H. Noel, III Trust, Arthur B. Noel and Arthur B. Noel Trust of record in Book 5933, page 592, Register's Office for Davidson County, Tennessee.

AND FURTHER, Noel Investments, L.P. (formerly Noel Investments, Ltd.) does hereby grant unto Burger King Corporation a non-exclusive perpetual easement running with the land in favor of the within described Lot No. 1 for ingress and egress to and from the said Lot No. 1 and Elm Hill Pike on, over and across that portion of Lot No. 2 as shown on the Resubdivision of Lots 1 and 2 Noel Investments, Ltd. Subdivision more particularly defined in the Cross Easement Agreement and described as follows:

A parcel of land in the First Civil District of Metropolitan Nashville and Davidson County, Tennessee and being part of Lot No. 2 shown on the plat entitled "Resubdivision of Lots 1 and 2, Noel Investments, Ltd. Subdivision" of record in Book 6900, page 844, Register's Office for Davidson County, Tennessee and being more fully described as follows:

BEGINNING at an iron pin at the common westerly corner of Lots 1 and 2 on the above noted plat. Said pin being, north 5 degrees 48 minutes 38 seconds east 159.77 feet from the northerly right of way line of Murfreesboro Pike as measured along the westerly line of Lot No. 1; thence,

1. N 5 degrees 48 minutes 38 seconds East 363.85 feet to an iron pin on the southerly right of way line of Elm Hill Pike; thence,

2. with the southerly right of way line of Elm Hill Pike, S 85 degrees 35 minutes 04 seconds E 45.00 fee to a point; thence,

3. severing Lot No. 2, S 16 degrees 40 minutes 25 seconds W 79.52 feet to a point; thence,

4. S 5 degrees 48 minutes 38 seconds W, 258.85 feet to a point; thence,

5. S 14 degrees 15 minutes 35 seconds E, 31.52 feet to a point in the common line between Lots 1 and 2; thence,

6. with the common line of Lots 1 and 2, N 81 degrees 55 minutes 51 seconds W 40.85 feet to the point of beginning and containing 11,685 square feet or 0.268 of an acre.

Being the same property conveyed to Burger King Corporation, by Warranty Deed from Noel Investments, L.P., dated 05/17/89, filed in Book 7843, Page 194, in said Register's Office.