THIS INSTRUMENT PREPARED BY: ELIZABETH RYDER SYKES, ESQ., 150 FOURTH AVENUE, NORTH, Suite 1850, NASHVILLE, TENNESSEE 37219.

ADDRESS NEW OWNER	SEND TAX BILLS TO	MAP & PARCEL NOS.
David R. Smith, Trustee of The David R. Smith Revocable Living Trust	-same -	162-0, Parcel 252
115 Chuzzlewit Down		
Brentwood, TN 37027		

QUITCLAIM DEED

FOR AND IN CONSIDERATION of $1.00 cash in hand paid and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, I, **DAVID R. SMITH,** by these presents, do hereby quitclaim and convey unto **DAVID R. SMITH, TRUSTEE OF THE DAVID R. SMITH REVOCABLE LIVING TRUST, dated September 20, 2004,** its successors and assigns, all my right, title and interest in and to the following described tracts or parcels of land situated in Davidson County, State of Tennessee, described as follows, to-wit:

> Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Hickory Bell Retail of record in Plat Book 9700, page 577, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.
>
> Being the same property conveyed to David R. Smith by Special Warranty Deed from Steak N Shake Operations, Inc. f/k/a Steak N Shake, Inc., of record in Instrument No. 20040920-0113214, Register's Office for Davidson County, Tennessee.
>
> Together with an appurtenant easement benefitting Lot No. 2 established by Easement Agreement by and between Steak N Shake, Inc. and Farokh Fani of record in Book 10775, Page 790, Register's Office for Davidson County, Tennessee.

Said properties are conveyed subject to all limitations, restrictions and encumbrances as may affect the premises.

This is improved property known as 14965 Old Hickory Boulevard, Nashville, Tennessee.

Davidson County DEEDQC
Recvd: 09/30/04 12:07 2pgs
Fees:12.00 Taxes:0.00
20040930-0117860

IN WITNESS WHEREOF, I have hereunto set my hand on this the _____ day of September, 2004.

DAVID R. SMITH

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

The actual consideration for this transfer is $ - 0 - .

AFFIANT

Sworn to and subscribed before me this 27th day of Sept, 2004.

NOTARY PUBLIC

LISA C ISOM NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TN

My Commission Expires: My Commission Exp. May 24, 2008

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STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Before me, Lisa Isom, a Notary Public in and for said County and State, personally appeared **DAVID R. SMITH**, 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 foregoing instrument for the purposes therein contained.

Witness my hand, at office in Nashville, Tennessee on this the 27th day of September, 2004.

NOTARY PUBLIC

LISA C ISOM NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TN

My Commission Expires:

My Commission Exp. May 24, 2008

J:\Clients\02338_Smith David R\Quitclaim Deed.wpd