Map/Parcel No.:
060-04-0 102.00

Instrument Prepared by:
Richard Wilensky, Esq.
12240 Inwood Road, Suite 500
Dallas, Texas 75244

Davidson County DEEDWARR
Recvd: 10/28/04 11:25 3pgs
Fees:18.00 Taxes:1502.64
20041028-0129684

DEED

THIS INDENTURE made as of this 4th day of November, 2003, between **USRP/HCI Partnership 1, L.P.** ("First Party") for and in consideration of the sum of Ten Dollars ($10.00) cash and other good and valuable consideration to it in hand paid by **U.S. Restaurant Properties Operating L.P.**, a Delaware limited partnership ("Second Party") the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Second Party the land described in Exhibit A attached hereto and made a part hereof for all purposes, together with all improvements thereon ("Property"), subject to matters of record, if any, to the extent the same are valid, subsisting and affect the Property ("Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Second Party, its successors and assigns, forever, subject to the Permitted Encumbrances, and First Party does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said Property, subject to the Permitted Encumbrances unto the said Second Party, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED as of the 4th day of November, 2003.

USRP/HCI Partnership 1, L.P.

By: USRP (JV1), LLC,
its general partner

By: Valerie S. Siverling
Valerie S. Siverling, Manager

Store No. 4839
Location: Davidson County, Tennessee

STATE OF TEXAS }
}
COUNTY OF DALLAS }

Personally appeared before me, Valerie S. Siverling, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained, and who further acknowledged that she is the Manager of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand and official seal, this 4th day of November, 2003.

ADRIENNE R. MACKAY
MY COMMISSION EXPIRES
August 14, 2006

Adrienne R. Mackay
Notary Public, State of Texas

I hereby swear or affirm that the actual consideration or true value of this transfer is ($406,118.02).

Valerie S. Siverling
Affiant

Subscribed and sworn to before me this 4th day of November, 2003.

ADRIENNE R. MACKAY
MY COMMISSION EXPIRES
August 14, 2006

Adrienne R. Mackay
Notary Public

NEW OWNER & RESPONSIBLE FOR TAXES:
JSRP Holding Corp.
12240 Inwood Road, Suite 300
Dallas, Texas 75244
ATTN: Asset Management

RETURN TO:
JEAN MCCLOSKEY
AMERICAN TITLE COMPANY
6029 BELTLINE RD. STE. 250
DALLAS, TX 75254

Store No. 4839
Location: Davidson County, Tennessee

EXHIBIT "A"

LAND in Davidson County, Tennessee, being Lot No. 2, on the Plan of Sam's Wholesale Club, as shown on plat of record in Plat Book 6250, page 569, with Surveyor's Certificate of Correction in Book 6680, page 904, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made and being more particularly described as follows:

BEGINNING at an iron pipe in the East right-of-way line of Dickerson Pike, said iron pipe being the Northwest corner of the herein described property: thence South 85 deg. 58' 44" East, a distance of 250.03' to an iron pin; thence South 04 deg. 54' 00" West, a distance of 183.84' to an iron pin; thence North 85 deg. 06' 00" West, a distance of 235.00' to an iron pin; thence North 15 deg. 39' 20" West, a distance of 42.72' to an iron pin in the East right-of-way line of Dickerson Pike; thence with said right-of-way line North 04 deg. 54' 00" East, a distance of 140.00' to the point of beginning and containing 1.04 acres (45,179 square feet).

BEING the same property conveyed to U. S. Restaurant Properties Operating, L.P., by Deed of Record in Book 10821, page 886, Register's Office for Davidson County, Tennessee.

TOGETHER with Driveway Easement as set forth in Deed of Record in Book 6690, page 494, Register's Office for Davidson County, Tennessee and being more particularly described as follows:

BEGINNING at an iron pin in the East right-of-way line of Dickerson Pike, said iron pin also being the southwest property corner of the above described 1.04 acre tract; thence South 15 deg. 30' 20" East, a distance of 42.72' to an iron pin; thence South 85 deg. 06' 00" East, a distance of 235.00' to an iron pin; thence North 04 deg. 54' 00" East, a distance of 183.84' to an iron pin; thence South 85 deg. 58' 44" East, a distance of 34.00' to a point; thence South 04 deg. 54' 00" West, a distance of 237.86' to a point; thence North 85 deg. 06' 00" West, a distance of 284.00' to a point in the East right-of-way line of Dickerson Pike; thence with said right-of-way North 04 deg. 54' 00" East, a distance of 93.50' to the point of beginning and containing 0.50 acres (21,753 square feet).

LESS AND EXCEPT any portions of the such property conveyed or taken for rights of way for public streets or roads.

Map / Parcel Nos.:
060-04-0 102.00

4839