15148

Davidson County DEEDQC
Recvd: 10/29/04 16:43 3pgs
Fees:17.00 Taxes:0.00

20041029-0130338

Prepared by and
~~When recorded~~, return to:

GE Capital Franchise Finance Corporation
17207 N. Perimeter Drive
Scottsdale, Arizona 85255
Attn: Collateral Management Department

Tax Map & parcel:
75-10-210

When recorded mail to:
LandAmerica Financial Group, Inc.
attn: K BROWN
3636 N. Central Ave, Suite 350
Phoenix, AZ 85012
Escrow No. XD9-29536

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that SMITH FOODS II LIMITED PARTNERSHIP, a Tennessee limited partnership ("Grantor"), for and in consideration of the sum often AND NO/100 DOLLARS ($10.00) in hand paid by FFCA CO-INVESTMENT LIMT1ED PARTNERSHIP, a Delaware limited partnership ("Grantee"), to or on behalf of Grantor, the receipt of which is hereby acknowledged, does hereby quit-claim to Grantee, its successors and assigns, all of Grantor's right, title and interest, if any, in and to all buildings, structures, fixtures and other improvements (collectively, the "Improvement") which is now located at that certain real property more particularly described on the Exhibit A attached hereto.

THE conveyance made herein is subject to all taxes, assessments, liens, encumbrances and restrictions of record and all matters which an accurate survey or physical inspection of the Improvements or underlying premises would disclose.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of this 25 day of OCTOBER, 2004.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

New Owner and Party Responsible for Real Estate Taxes:

FFCA Co-Investment Limited Partnership
17207 North Perimeter Drive
Scottsdale AZ 85255

SMITH FOODS II LIMITED PARTNERSHIP, a
Tennessee limited partnership

By: E.R. Smith, Inc., general partner

By: E. Rhett Smith
Printed Name: E. Rhett Smith
Its: President

STATE OF Tennessee)
) SS.
COUNTYOF Davidson)

Before me, the undersigned Notary Public, on this 22 day of October 2004, personally appeared E. Rhett Smith, known to me to be the person whose name is subscribed to the foregoing instrument, and known to me to be President of E.R. SMITH INC., in its capacity as general partner of SMITH FOODS II LIMITED PARTNERSHIP, a Tennessee limited partnership, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, on behalf of the corporation, as managing general partner of the partnership.

Notary Public

My Commission Expires:
5/28/06

State of Tennessee

County of Davidson

The actual consideration of value, whichever is greater, for this transaction is $0.00 (Zero dollars and cents).

Affiant

Subscribed and sworn to before me, this date of October 29, 2004.

Notary Public

My Commission Expires: 03-22-08

PAMELA WALKER NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires MAR. 22, 20

EXHIBIT A

LEGAL DESCRIPTION

A tract of land in the First Civil District of Metropolitan Nashville, Davidson County, Tennessee; being all of Lot No. 3 as shown on the Final Plat of Wal-Mart Center as of record in Plat Book 6900, Page 3, R.O.D.C., Tennessee and being more particularly described as follows:

Beginning at an existing iron pin on the easterly right-of-way line of Lebanon Pike, US. Highway 70-N (R.O.W. varies); said iron pin being the common westerly property corner between Lots 2 and 3 as shown on the Final Plat of Wal-Mart Center; thence,

1. With the easterly right-of-way line of Lebanon Pike, N 31° 04' 00" E a distance of 224.96 feet to an existing iron pin; thence,

2. N 34' 58' 26" E a distance of 94.97 feet to an existing iron pin; thence,

3.. Leaving said right-of-way line and with the easterly property line of Lot No. 3, S 37' 22' 30" E a distance of 206.24 feet to an existing P.K. nail in concrete gutter on the westerly right-of-way line of a Joint Access and Public Utility Easement (R.O.W. width varies) as of record in Deed Book 7141, Page 120, R.O.D.C., Tennessee and as shown on said final plat; thence,

4. Southwestwardly with the westerly right-of-way line of said easement and a 469.13-foot radius curve to the left a distance of 112.99 feet to a chiseled "X" in concrete gutter; said curve has a chord bearing and distance of S 12' 29' 00" W, 112.72 feet; thence,

5. S 05' 35' 00" W a distance of 50.00 feet to an iron pin (set) at the common easterly property corner. between Lots 2 and 3; thence,

6. Leaving the westerly right-of-way line of said easement, with the common property line between Lots 2 and 3, N 78 42' 36" W a distance of 271.75 feet to- the point of beginning.

Being the same property conveyed to FFCA Co-Investment Limited Partnership by deed of record in Book 9005, page 780, as corrected in Book 9604, page 818 R.O.D.C.