NAME AND ADDRESS OF NEW OWNERS:

Marilyn Y. Palomino
301 Upper Mill Drive
Antioch, TN 37013

THIS INSTRUMENT WAS PREPARED BY:

Harris Teeter Properties, LLC
701 Crestdale
Matthews, North Carolina 28105

SEND TAX BILLS TO:

Michigan Fidelity Acceptance Corp d/b/a Franklin Mortgage Funding, Inc.
25800 Northwestern Hwy Ste 875
Southfield, MI 48075

Davidson County DEEDWARR
Recvd: 11/04/04 12:44 3pgs
Fees:18.00 Taxes:603.10



20041104-0133100

WARRANTY DEED
(Part of Map 173-15, Group A, Parcel 23)

FOR AND IN CONSIDERATION of sum of TEN AND NO/100 ($10.00) DOLLARS, cash in hand paid and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, the undersigned, Harris Teeter Properties, LLC, a North Carolina limited liability company, have bargained and sold and do hereby transfer and convey unto Marilyn Y. Palomino, its heirs and assigns, forever, that certain property located and situated in Davidson County, Tennessee, and more particularly described as follows:

Being Lot 23 on the plat of Mill Run Subdivision, Phase 1, of record in Plat Book 11700, pages 27 and 28, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a complete and accurate description thereof. ✱ 20041104-0133099

BEING the same property conveyed to Harris Teeter Properties, LLC, a North Carolina limited liability company, by Warranty Deed from William V. Lander and Esther E. Lander, husband and wife, of record as Instrument No. ✱-_____, Register's Office for Davidson County, Tennessee.

SUBJECT to the following exceptions:

1. The lien of the local ad valorem property taxes for 200_4

2. Such state of facts as would be disclosed by a current, accurate, physical survey of the subject property.

3. All easements, covenants, conditions, restrictions and other matters of record.

TO HAVE AND TO HOLD the said real estate together with all appurtenances, estate and title thereunto belonging unto the said grantees, their heirs, and assigns forever.

We covenant with the said grantees that we are lawfully seized and possessed of said real estate; that we have a good right to convey the same; and that the same is unencumbered except as noted herein and for the 2004 real property taxes which will be prorated at closing and assumed by the grantees.

We further covenant and bind ourselves, our heirs and assigns, to forever warrant and defend the title to said real estate unto the said grantees, their heirs and assigns, against the lawful claims of all person whomsoever.

WITNESS OUR HANDS AND SIGNATURES on this 15th day of October, 2004.

HARRIS TEETER PROPERTIES, LLC,
a North Carolina limited liability company

By: _____ (Seal)
Name: Jeff D Sherman
Title: Manager, 1st VP

STATE OF North Carolina

COUNTY OF Mecklenburg

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, Jeff D. Sherman, as Manager, 1st VP of Harris Teeter Properties, LLC, a North Carolina limited liability company, with whom I am personally acquainted (or proved to me on the basis satisfactory evidence), the within named bargainor, and that such Manager, 1st VP, being authorized to do so, executed the foregoing instrument for the purposes contained by signing the name of the company by himself/herself as such Manager, 1st VP.

WITNESS MY HAND AND OFFICIAL SEAL, this 15th day of October, 2004.

My Commission Expires:

February 24, 2009

[Notarial Seal]

Susan Isenhour Laney
Notary Public

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STATE OF TENNESSEE

COUNTY OF DAVIDSON

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is $ 163,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

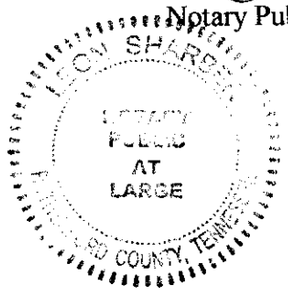
Subscribed and sworn to before me this 25th day of October, 2004.

My Commission Expires:

1/18/05

Notary Public

[Notarial Seal]



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