PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

RETURN TO:
COMMONWEALTH TITLE AGENCY
OF NASHVILLE, INC.
333 GALLATIN RD. SOUTH
MADISON, TN 37115

WARRANTY DEED

THIS INDENTURE is made and entered into this 16th day of **November, 2004, by and between DONALD W. SUMNER, UNMARRIED, hereinafter called Grantor, and WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST, hereinafter called Grantee.**

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which are hereby acknowledged, DONALD W. SUMNER, UNMARRIED, as Grantor, does hereby bargain, sell, transfer and convey unto WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST,hereinafter referred to as Grantee, its successors and assigns, all of that certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantor in and to all buildings and fixtures located on said real estate, and any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (collectively, the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is unimproved property known as .230+- ACRES 1045 W. GREENWOOD AVENUE, NASHVILLE, TN 37206.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, its successors and assigns forever. The Grantor covenants and agrees with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantor further covenants and binds himself and his successors, heirs and assigns, to warrant and forever defend the title to said Grantee, its successors and assigns, against the lawful claims of all person whomsoever.

WITNESS the hand and seal of Grantors on the day and year first above written.

Davidson County DEEDWARR
Recvd: 12/13/04 09:25 3pgs
Fees:18.00 Taxes:296.00

20041213-0147656

DONALD W. SUMNER
Signature of Seller

Signature of Seller

ATTORNEY IN FACT
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this 16th day of **November, 2004** before me personally appeared THOMAS E. STEWART, to me known, (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument on behalf of DONALD W. SUMNER, and acknowledged that he/she executed the same as the free act and deed of said DONALD W. SUMNER, PURSUANT TO POWER OF ATTORNEY OF RECORD IN INSTRUMENT NO. 20041213-0147655, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

Witness my hand, at office, this **1st** day of **November, 2004.**

Denise C. Allis
Notary Public

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

My Commission Expires: 5/24/2008

Name and Address of Property Owner:

WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST

2001 SE 10TH STREET
BENTONVILLE, AR 72716-0550

Property Address

.230+- ACRES 1045 W. GREENWOOD AVENUE
NASHVILLE, TN 37206

Person Responsible for Taxes:
Wal-mart Real Estate Business Trust
Property Tax Dept. #8013
Re: Store #3306-0
Mail Stop 0555
1301 S.E. 10th St.
Bentonville, Ar 72716 0555
Map & Parcel #: MAP 83-1, P/O PARCEL 35

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$80000** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Barbara Le Dinnie
Affiant

Sworn to and subscribed before me, a Notary Public, this 16 day of **November, 2004.**

Denise C. Allis
Notary Public

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

My Commission Expires: 5/24/2008

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 03-7249

EXHIBIT 'A'

Land in Davidson County, Tennessee, being a portion of Lot No. 1 on the plan of FINAL PLAT WAL-MART NEIGHBORHOOD MARKET, of record in Instrument No. 20041129-0141459, Register's Office for Davidson County, Tennessee, being more particularly described as follows:

Beginning at the northwest corner of a 12 foot alley of record in Deed Book 5481, page 980, R.O.D.C.Tn and the southwest corner of Michael P. Williamson property of record in Deed Book 8908, page 513, R.O.D.C.Tn said corner also being approximately 268.87 feet west of the center line of Gallatin Avenue; thence North 84 deg. 08' 34" West, 100.13 feet to the easterly boundary of Frederick Davis Stalnecker, Laura Lynn sTalnecker property of record in Deed Book 10049, page 586, R.O.D.C.Tn; thence with said property North 12 deg. 01' 59" East, 101.02 feet to the northeast corner of said property and the southerly boundary of William L. Dunn, Esther M. Dunn property of record in Deed Book 6854, page 284, R.O.D.C.Tn; thence with said boundary South 83 deg. 33' 37" East passing through an iron rod at 10 feet and continuing on in all 100.00 feet to the northwest corner of the aforementioned Michael P. Williamson property and the southerly boundary of Disser Enterprises, Inc. property of record in Deed Book 5916, page 946, R.O.D.C.Tn; thence with Williamson property South 12 deg. 01' 12" West, 100.00 feet to the beginning, containing 10,002 square feet or 0.230 acres, more or less.

Being a portion of the same property conveyed to DONALD W. SUMNER, UNMARRIED, by Warranty Deed from SHARON DENISE HARPER ET AL, of record as Book 9871, page 370, Register's Office for DAVIDSON County, Tennessee.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2005 and subsequent years, A LIEN, not yet due and payable (MAP 83-1, P/O PARCEL 35).

2. All matters as set forth on the Plan of FINAL PLAT WAL-MART NEIGHBORHOOD MARKET, of record in Instrument No. 20041129-0141459, said Register's Office, including any and all setback lines, easements, notes, restrictions, etc., as may be shown thereon.