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 28TH day of **October, 2004, by and between JEFFREY L. HALE, 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, JEFFREY L. HALE, 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 improved property known as .361 ACRES+- 1217 BAILEY STREET, 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.

MARY L. HALE, wife of JEFFREY L. HALE, the Grantor herein, joins in the herein conveyance for the sole purpose of conveying any right, title and interest she may have in and to the property described herein, marital or otherwise.

WITNESS the hand and seal of Grantor's duly authorized official on the day and year first above written.

Davidson County DEEDWARR
Recvd: 12/13/04 09:27 3pgs
Fees:18.00 Taxes:436.17

20041213-0147658

JEFFREY L. HALE
Signature of Seller

MARY L. HALE
Signature of Seller Spouse

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **JEFFREY L. HALE and HIS WIFE, MARY L. HALE,** the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 28 day of **October, 2004.**

Notary Public

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:

.361 ACRES+- 1217 BAILEY STREET
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 72-13, PARCEL 339

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 **$117885** 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.

Affiant

Sworn to and subscribed before me, a Notary Public, this 1 day of ~~October~~ November, 2004.

Notary Public

My Commission Expires: 5/24/2008

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 03-7252

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 in the easterly right-of-way of Bailey Street, approximately 563 feet from the center of West Greenwood Avenue and being the northwest corner of the Russanne Buchi-Fotre property of record in Deed Book 11556, page 63[illegible], R.O.D.C.Tn; thence with the Bailey Street right-of-way North 12 deg. 18' 22" East, 104.00 feet to an iron rod set in the southerly right-of-way of a 12-foot alley of record in Book 161, page 172, R.O.D.C. Tn; thence with said alley South 83 deg. 50' 34" East, 150.31 feet to a concrete monument at the northwest corner of the Kenneth Wayne Hackney, Linda Darlene Hackney property of record as Instrument Number 20011003-0107438, R.O.D.C.Tn; thence with the boundaries of the Hackney property South 10 deg. 32' 10" West, 103.86 feet to the northeast corner of the aforementioned Buchi-Fotre property; thence with the northerly boundary of Buchi-Fotre property North 83 deg. 46' 35" West, 153.52 feet to the beginning, containing 15,718 square feet or 0.361 acres, more or less.

Being the same property conveyed to JEFFREY L. HALE, by Warranty Deed from E.R. BUCHI, SR., A WIDOWER, of record in Book 11305, page 320, 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 72-13, PARCEL 339).
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.