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 1ST day of ~~October~~ November, 2004, by and between ROBERT A. O'MALLEY, A MARRIED MAN, 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, ROBERT A. O'MALLEY, A MARRIED MAN, 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 .116+-ACRES 1041 W. GREENWOOD AVEN, NASHVILLE, TN.

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.

BETTY S. O'MALLEY, wife of ROBERT A. O'MALLEY, 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 Grantors on the day and year first above written.

ROBERT A. O'MALLEY
Signature of Seller

BETTY S. O'MALLEY
Signature of Seller Spouse

Davidson County DEEDWARR
Recvd: 12/13/04 09:31 3pgs
Fees:18.00 Taxes:185.00

20041213-0147661

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **ROBERT A. O'MALLEY and HIS WIFE, BETTY S. O'MALLEY,** 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 1ST day of ~~October~~ November, 2004.

Notary Public

My Commission Expires: 5/24/2008

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

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:

.116+-ACRES 1041 W. GREENWOOD AVEN
NASHVILLE, TN

Person Responsible for Taxes:
Wal-Mart Real Estate Business Trust
Property Tax Dept #8013
Re: Store No 3306-0
Mail Stop 0555
1301 SE 10Th St.
Bentonville, AR 72716-0555
Map & Parcel #: MAP 83-1, PART OF PARCEL 33

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 **$50000** 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 1ST day of ~~October~~ November, 2004.

Notary Public

My Commission Expires: 6/24/2008

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

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 03-7251

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 an iron rod set in the east right-of-way of Bailey Street and approximately 256 feet from the center of West Greenwood Avenue; thence with Bailey Street right-of-way North 12 deg. 05' 16" East, 102.56 feet to an iron rod set at the southwest corner of the William L. Dunn, Esther M. Dunn property of record in Deed Book 6854, page 284, R.O.D.C.Tn; thence with said Dunn property South 83 deg. 33' 37" East, 49.80 feet to the northwest corner of the Frederick Davis Stalnecker, Laura Lynn Stalnecker property of record in Deed Book 10049, page 585, R.O.D.C.Tn; thence with said Stalnecker property South 12 deg. 02' 46" West, 102.04 feet; thence leaving said Stalnecker property North 84 deg. 08' 34" West, 49.92 feet to the beginning, containing 5,072 square feet or 0.116 acres, more or less.

Being a portion of the same property conveyed to ROBERT A. O'MALLEY, UNMARRIED, by Warranty Deed from LARRY JACOBS & NANCY T. DENNING, of record as Book 4500, page 601, and Book 4518, page 121, 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, PART OF PARCEL 33).

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.