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

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

WARRANTY DEED

THIS INDENTURE is made and entered into this 29 day of ~~November~~ October, 2004, by and between RUSSANNE BUCHI-FOTRE, A MARRIED WOMAN, AN UNDIVIDED ONE-HALF (1/2) INTEREST, AND RUSSANNE L. BUCHI-FOTRE AND JULIAN N. FOTRE, AS GUARDIANS OF LAUREL BUCHI-FOTRE AND JULIAN BUCHI-FOTRE, BOTH MINORS, EACH AN UNDIVIDED ONE-FOURTH (1/4) INTEREST, hereinafter called Grantors, 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, RUSSANNE BUCHI-FOTRE, A MARRIED WOMAN, AN UNDIVIDED ONE-HALF (1/2) INTEREST, AND RUSSANE L. BUCHI-FOTRE AND JULIAN N. FOTRE, AS GUARDIANS OF LAUREL BUCHI-FOTRE AND JULIAN BUCHI-FOTRE, BOTH MINORS, EACH AN UNDIVIDED ONE-FOURTH (1/4) INTEREST, as Grantors, do 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 Grantors 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 0.265+- ACRES, 1215 BAILEY STREET, 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 Grantors covenant and agree with the said Grantee that Grantors are lawfully seized and possessed of the said real estate and that Grantors have a good and lawful right to sell the same. The Grantors further covenant that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantors further covenant and bind themselves and their 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 hands and seals of Grantors on the day and year first above written.

RUSSANNE BUCHI-FOTRE
Signature of Seller

JULIAN N. FOTRE
Signature of Seller Spouse

Davidson County DEEDWARR
Recvd: 12/13/04 09:33 4pgs
Fees:23.00 Taxes:712.25
20041213-0147663

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, RUSSANNE BUCHI-FOTRE and HER HUSBAND, JULIAN N. FOTRE, the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 29 day of October, 2004.

Notary Public

My Commission Expires: 5/24/2008

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

RUSSANNE L. BUCHI-FOTRE, AS GUARDIAN OF LAUREL BUCHI-FOTRE, A MINOR

JULIAN N. FOTRE, AS GUARDIAN OF LAUREL BUCHI-FOTRE, A MINOR

RUSSANNE L. BUCHI-FOTRE, AS GUARDIAN OF JULIAN BUCHI-FOTRE, A MINOR

JULIAN N. FOTRE, AS GUARDIAN OF JULIAN BUCHI-FOTRE, A MINOR

STATE OF TENNESSEE :

COUNTY OF DAVIDSON :

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, RUSSANNE L. BUCHI-FOTRE, AS GUARDIAN OF LAUREL BUCHI-FOTRE AND JULIAN BUCHI-FOTRE, BOTH MINORS, the within named bargainor with whom I am personally acquainted (or who proved TO ME upon satisfactory evidence), and who acknowledged that SHE executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at MADISON, Tennessee, on this the 29 day of October, 2004.

notary public

My commission expires: 5/24/2008

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

STATE OF TENNESSEE :

COUNTY OF DAVIDSON :

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, JULIAN N. FOTRE, AS GUARDIAN OF LAUREL BUCHI-FOTRE AND JULIAN BUCHI-FOTRE, BOTH MINORS, the within named bargainor with whom I am personally acquainted (or who proved TO ME upon satisfactory evidence), and who acknowledged that HE executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at MADISON, Tennessee, on this the 29 day of October, 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:

0.265+- ACRES, 1215 BAILEY STREET
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 S.E. 10th St.
Bentonville AR 72716-0555
Map & Parcel #: MAP 72-13, PARCEL 340

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 **$192500** 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

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 03-7257

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, and being more particularly described as follows:

Beginning in the easterly right-of-way of Bailey Street, approximately 487 feet from the center of West Greenwood Avenue and being the northwest corner of William L. Dunn, Esther M. Dunn property of record in Deed Book 6854, page 284, R.O.D. C. Tn; thence with Bailey Street right-of-way North 12 deg. 18' 22" East, 75.00 feet to the southwest corner of the Jeffrey L. Hale property of record in Deed Book 11305, page 320, R.O.D.C. Tn; thence with Hale property South 83 deg. 46' 35" East, 153.52 feet to the westerly boundary of Kenneth Wayne Hackney, Linda Darlene Hackney property of record as Instrument Number 20011003-0107438, R.O.D.C. Tn; thence with the westerly boundaries of the Hackney property and the Disser Enterprises, Inc., property of record in Deed Book 5916, page 946, R.O.D.C.Tn South 10 deg. 32' 10" West, 75.00 to the northeast corner of aforementioned Dunn property; thence with the northerly boundary of the Dunn property North 83 deg. 40' 08" West 155.82 feet to the beginning, containing 11,546 square feet or 0.265 acres, more or less.

Being the same property conveyed to Russanne Buchi-Fotre, an undivided one-half (1/2) interest, by Quitclaim Deed from E.R. Buchi, of record in Book 11556, page 631, Register's Office for DAVIDSON County, Tennessee, and to Laurel B. Fotre, an undivided one-fourth (1/4) interest, by Quitclaim Deed from E.R. Buchi, of record in Book 10023, page 42, said Register's Office, and to Julian B. Fotre, an undivided one-fourth (1/4) interest, by Quitclaim Deed from E.R. Buchi, of record in Book 10023, page 44, said Register's Office. By Orders filed on November 5, 2003, and November 12, 2003, in the Seventh Circuit Court for Davidson County, Tennessee, Probate Division, Nashville, Russanne L. Buchi-Fotre and Julian N. Fotre were authorized to enter into a contract for the sale of the above-described property and to execute all closing documents necessary to effectuate the sale of the above-described property as guardians of Laurel Fotre and Julian Fotre, both minors.

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 340).
2. All matters as set forth on the Plan 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.

3. Easement for construction, operation and maintenance of sewer line to City of Nashville, of record in Book 1975, page 16, said Register's Office.