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 27TH day of ~~November~~ October, 2004, by and between KENNETH WAYNE HACKNEY and LINDA DARLINE HACKNEY, HUSBAND AND WIFE, AS TENANTS IN COMMON IN EQUAL SHARES WITH THE RIGHT OF SURVIVORSHIP, hereinafter called Grantors, and WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST, herre nafter called Grantees.

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, KENNETH WAYNE HACKNEY and LINDA DARLINE HACKNEY, HUSBAND AND WIFE, AS TENANTS IN COMMON IN EQUAL SHARES WITH THE RIGHT OF SURVIVORSHIP, as Grantors, do hereby bargain, sell, transfer and convey unto WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST, hereinafter referred to as Grantees, 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 being a portion of the property known as1216 (1218 & 1220) GALLATIN ROAD, NASHVILLE, TN 37206.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantees, its successors and assigns forever. The Grantors covenant and agree with the said Grantees 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 Grantees, 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.

Kenneth Wayne Hackney
KENNETH WAYNE HACKNEY
Signature of Seller

Linda Darline Hackney
LINDA DARLINE HACKNEY
Signature of Seller

Davidson County DEEDWARR
Recvd: 12/13/04 09:54 3pgs
Fees:18.00 Taxes:2333.76
20041213-0147666

INDIVIDUAL
STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public of said County and State, KENNETH WAYNE HACKNEY and LINDA DARLINE HACKNEY, HUSBAND AND WIFE, AS TENANTS IN COMMON IN EQUAL SHARES WITH THE RIGHT OF SURVIVORSHIP, 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 27th 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 and AS TO 0.644+- ACRES & 0.392 ACRES+-

2001 SE 10TH STREET
BENTONVILLE, AR 72716-0550

Property Address

1216 (1218 & 1220) GALLATIN ROAD
NASHVILLE, TN 37206

Person Responsible for Taxes:
Wal-Mart Real Estate Business Trust
Property Tax Dept #8013
Re: Store # 3306-0
Mail Stop: 5555
1301 SE 10th St
Bentonville, AR 72716-0555

Map & Parcel #: MP 72-13 P/O 338; MP 83-01, PAR 41

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 **$630745.82** 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

03-7253

EXHIBIT 'A'

TRACT ONE: 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 a chiseled "X" in the westerly right-of-way of Gallatin Avenue, approximately 281 feet south from the center of Douglas Avenue, being the southeast corner of the Kenneth Wayne Hackney, Linda Darlene Hackney property of record as Instrument Number 20011003-0107438, R.O.D.C.Tn; thence with said right-of-way southwesterly with a curve to the left 80.54 feet to a mag nail at a northeast corner of the Disser Enterprises, Inc. property of record in Deed Book 5916, page 946, R.O.D.C.Tn, said curve having a radius of 700.00 feet, a delta of 6 deg. 35' 32" and a chord of 80.50 feet at South 22 deg. 04 02" West; thence with the northerly boundary of the Disser Enterprises, Inc. property North 82 deg. 56' 33" West 357.82 feet to the easterly boundary of the Russanne Buchi-Fotre property of record in Deed Book 11556, page 631, R.O.D.C. Tn; thence with the easterly boundaries of Buchi-Fotre property and Jeffrey L. Hale property of record in Deed Book 11305, page 320, R.O.D.C. Tn. North 10 deg. 32' 10" East, 75.75 feet to the southwest corner of the aforementioned Hackney property; thence with the southerly boundary of the Hackney property South 83 deg. 20' 34" East 374.17 feet to the beginning, containing 28,070 square feet or 0.644 acres, more or less.

TRACT TWO: Land in Davidson County, Tennessee, and 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 a chiseled "X" set in the Westerly right-of-way of Gallatin Avenue at the northeast corner of Kenneth Wayne Hackney, Linda Darlene Hackney property of record as Instrument NO. 20011003-0107438, R.O.D.C.Tn; thence with the northerly boundary of Hackney North 83 deg. 20' 34" West, 374.17 feet to the easterly boundary of the Jeffrey L. Hale property of record in Deed Book 11305, page 320, R.O.D.C.Tn; thence with Hale property North 10 deg. 32' 10" East, 75.36 feet to the southerly right-of-way of a 12 foot alley of record in Book 161, page 172, R.O.D.C.Tn.; thence with the alley and aforementioned Smith property South 83 deg. 36' 04" East, 202.80 feet; thence South 05 deg. 51' 17" West, 56.77 feet; thence South 84 deg. 10' 00" East, 35.45 feet; thence southeasterly with a curve to the left 21.99 feet, said curve having a radius of 14.00 feet, a delta of 90 deg. 00' 00" and a chord of 19.80 feet at South 39 deg. 10' 00" East, thence South 84 deg. 10' 00" East, 68.10 feet; thence southeasterly with a curve to the right 32.23 feet, said curve having a radius of 133.00 feet, a delta of 13 deg. 53' 00" and a chord of 32.15 feet at South 77 deg. 13' 30" East; t hence South 70 deg. 17' 00" East, 16.19 feet to the beginning, containing 17,056 square feet or 0.392 acres, more or less.

Being a portion of the same property conveyed to KENNETH WAYNE HACKNEY, by Warranty Deed from BENNIE R. AND SARA J. HACKNEY, of record in Book 9778, page 827, Register's Office for DAVIDSON County, Tennessee. Linda Darline Hackney, wife of Kenneth Wayne Hackney, subsequently conveyed all of her right, title and interest in and to said property unto Kenneth Wayne Hackney, by Quitclaim Deed of record in Book 11725, page 957, said Register's Office. The said Kenneth Wayne Hackney subsequently conveyed all of his right, title and interest in and to said property through H. Tom Kittrell, Jr., Trustee, to Kenneth Wayne Hackney and Linda Darline Hackney, as tenants in common in equal shares with the right of survivorship, by Quitclaim Deed of record in Instrument No. 20011003-0107438, said Register's Office.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2005 and subsequent years, A LIEN, not yet due and payable (MP 72-13 P/O 338; MP 83-01, PAR 41).
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.