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 STORES EAST, L.P., A DELAWARE LIMITED PARTNERSHIP, herreinafter 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 STORES EAST, L.P., A DELAWARE LIMITED PARTNERSHIP, 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 09:55 3pgs
Fees:18.00 Taxes:626.24
20041213-0147667

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 27 Th. day of October, 2004.

Notary Public

My Commission Expires: 5/24/2008

Name and Address of Property Owner:

WAL-MART STORES EAST, L.P., A DELAWARE LIMITED PARTNERSHIP, and AS TO 0.278+- 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 No. 3306-0
Mail Stop 0555
1301 S.E. 10Th St.
Bentonville, AR 72716-0555
Map & Parcel #: MP 72-13 P/O 338

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 **$169254.18** 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: 5/24/2008

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 03-7253

EXHIBIT 'A'

Land in Davidson County, Tennessee, being Lot No. 2 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 westerly right-of-way of Gallatin Avenue, approximately 200 feet south of the center of Douglas Avenue, being the southeast corner of the Kenneth Wayne Hackney, Sr. and Linda Darlene Hackney property of record as Instrument Number 20031202-0173473, R.O.D.C.Tn; thence with Gallatin Avenue right-of-way South 23 deg. 59' 48" West, 80.63 feet to a chiseled "X" set at the northeast corner of Kenneth Wayne Hackney, Linda Darlene Hackney property of record as Instrument Number 20011003-0107438, R.O.D.C.Tn; thence North 70 deg. 17' 00" West, 16.19 feet; thence northwesterly with a curve to the left 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 North 77 deg. 13' 30" West; thence North 84 deg. 10' 00" West, 68.10 feet; thence northwesterly with a curve to the right 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 North 39 deg. 10' 00' West; thence North 84 deg. 10' 00" West, 35.45 feet; thence North 05 deg. 51' 17" East, 56.77 feet to the southerly boundary of the aforementioned Hackney property; thence with said boundary South 83 deg. 36' 04" East, 190.31 feet to the beginning, containing 12,114 square feet or 0.278 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).
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.